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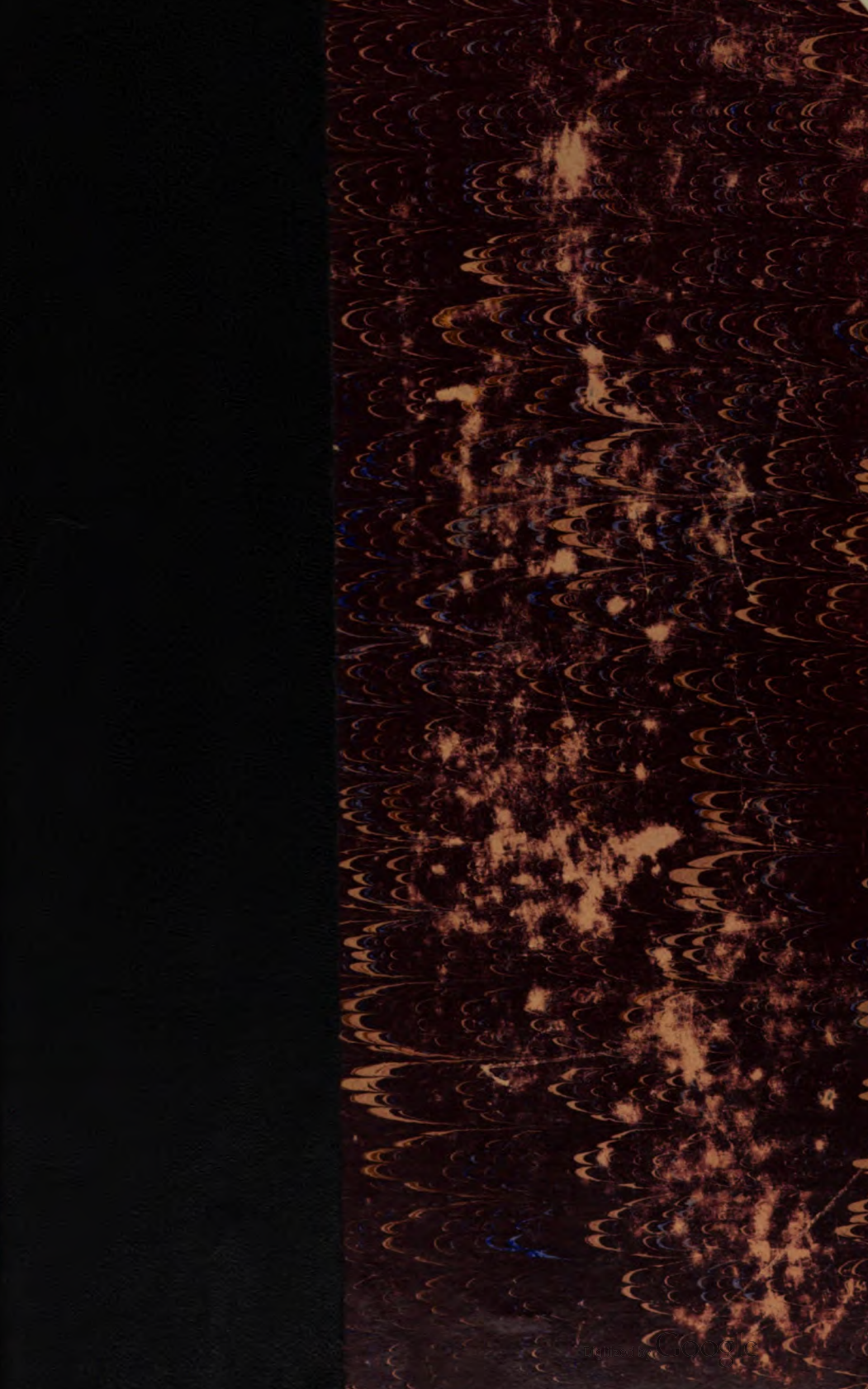
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THE
464
VIRGINIA MAGAZINE
OF
HISTORY AND BIOGRAPHY,



PUBLISHED QUARTERLY BY
THE VIRGINIA HISTORICAL SOCIETY,
FOR
THE YEAR ENDING JUNE, 1896.

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LYON G. TYLER,
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WM. H. PALMER.

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Virginia Historical Society.

At the meeting of the Executive Committee of the Virginia Historical Society, held February 8th, 1895, the President of the Society, Mr. Joseph Bryan, announced the following Standing Committees for the year 1896:

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JULY, 1895.

No. 1.

LETTERS OF WILLIAM FITZHUGH.

(CONTINUED.)

January 26th, 1689.

Sir:

I heartily thank your kindness in that affair of Maj^r Beverley's that you have generously offered to bring the business to judgment in your county court, which will be highly obliging, & to assure you I have no manner of distrust in your Integrity, I have purposely sent you the Will, assuring myself from a Gentleman of your worth to meet with nothing but candour and fairness, & my small skill in the law assures me of the truth in yours, that it ought first to be a judg^{mt} before expectation of payment. I heartily thank you sir for your news & I hope by all conveniency's you will please to continue your kindness in that method, for as we live remote from court so now also it is our unhappiness to live as remote from shipping which makes us barren in news also. If you would immediately send up a receiver or appoint some one here, as Jno. Battaile* or Jas. Taylor,

*John Battaile, of Rappahannock, afterwards Essex county, was a captain commanding a company of rangers in service against the Indians in 1692 (*Calendar of Virginia State Papers*); was a member of the House of Burgesses from Essex in the same year (*Journal*), and was a justice of Essex. He married a daughter of Colonel Lawrence Smith, of Gloucester county. (A deed recorded in Essex, and dated 1704, mentions that Lawrence Smith gave to his "son-in-law, John Battaile," a power of attorney to sell certain land in Essex.) His will was

I would sell as much goods to Rappahannockers as would answer that debt of yours, if possibly I could purposely to suit your conveniency, but to purchase Tob^o here & not to be sure of receiving or if you do send to receive, liking would be vastly prejudicial to me because clearly out of the course of my business. Mr. Buckner will be so kind as to deliver this, of whom also I have requested a farther trouble, as the presentation of my most humble service to yourself & good Lady, which I hope will be acceptable from

Sir Your Wff.

To Mr. Christopher Robinson* at his house in Middlesex.

dated January 24th, 1707-'8, and recorded (in a book containing chiefly deeds) in Essex, February, 1707-'8. The inventory of the personal estate of Colonel John Battaile was recorded in Essex, May, 1708, and amounted to £591. 2. 0. It included a parcel of books valued at £1. The legatees under the will were his wife, Elizabeth, sons John, Hay, Lawrence and Nicholas, and daughter, Elizabeth Battaile. John Battaile, probably the son named in the will, was one of the first justices of Caroline county, in 1728. The family was prominent in the latter county, and various members removed to other portions of Virginia and to the West. It is not known that any complete account of the family has been prepared. Following are some disconnected notes in regard to the name: Sarah Battaile, of Caroline, married, in 1740, Henry Fitzhugh, of "Bedford," King George. John Battaile, of Kentucky, married Mary, daughter of Colonel John Daingerfield, of Alexandria, and had issue: I. John; II. William W.; III. James C. Maria Battaile married, in 1807, Muscoe Garnett, of Essex. Elizabeth Battaile married about 1793, Wm. Catesby Woodford, of "Whitehall," Caroline. Lawrence Battaile, of Caroline, was living in 1755. Hay Battaile, of Caroline, was living in 1782. — Battaile, of Caroline, married John Taliaferro, of "Hagley," King George. Catherine Battaile, of Orange county, married Charles Lewis. John Battaile was lieutenant of Virginia militia in the War of 1812. Hay Battaile was member of the House of Delegates from Caroline, 1815-20. Lawrence Battaile, justice of Caroline, 1748, and his will proved March 1749-50, by his widow, Sarah Battaile. Captain Nicholas Battaile, of "Hay," Caroline, married Mary Thornton, and had (with perhaps other issue) Mary, who married Wm. Taliaferro, of "Snow Creek," in 1751. Hay Battaile was justice of Caroline, 1785, and sheriff, 1804-'5. Lawrence Battaile was justice of Caroline, 1789, and sheriff, 1804-'5. The will of John Battaile was proved in Caroline, May 10th, 1733. Nicholas Battaile appointed justice of Caroline, 1735.

*The first of this family of Robinson of whom anything is known was

August 11th, 1690.

Mr. Thomas Storke:

S^r By the persuasion of Capt. Gutteridge I have consigned you four hhds. of sweet scented Tob^o as will appear by the bill

John Robinson, of Cleasby, Yorkshire, who married Elizabeth, daughter of Christopher Potter, of the same place. Their fourth son was John Robinson, Bishop of London (born 1650, died April 11th, 1723), who was for many years ambassador to Sweden, and represented England as First Plenipotentiary at the Congress of Utrecht in 1712. He purchased the manor of Hewick, near Ripon, Yorkshire, and as he had no issue, bequeathed it to his nephew, Christopher Robinson, of Virginia. Christopher Robinson, the son of the latter, directed it, by his will in 1708, to be sold, which was done. It was purchased by Sir Fletcher Norton, afterwards Lord Grantley, for £17,000.

Christopher Robinson, another son of John Robinson, of Cleasby, came to Virginia about 1666, and settled on an estate in Middlesex (near Urbanna) which was called "Hewick," and where he built a house which is still standing. He was born at Cleasby in 1645, and died at "Hewick," Middlesex, in 1693. He was a member of the House of Burgesses from Middlesex, 1691, appointed to the Council in the same year (*Sainsbury Abstracts*), and was Secretary of State in 1692 (*Calendar of Virginia State Papers*). There is recorded in Middlesex a deed, dated March 31st, 1683, from Christopher Robinson, Gent., and his wife, Agatha, one of the daughters of Bertram Obert, of Middlesex. Also a deed dated January 10th, 1688, from Gawin Corbin and Roger Borough, of London, conveying to Christopher Robinson, Gent., a tract of land in Middlesex called "The Grange." From the same records it appears that Christopher Robinson was clerk of Middlesex from December, 1675, to September 3d, 1688, when he resigned. He married, secondly, in or before 1694, Catherine, widow of Major Robert Beverley, and daughter of Theophilus Hone, of James City county. There is recorded in Middlesex a power of attorney from John Robinson, dated October 20th, 1693, to his sister, Mrs. Frances Shepard, of Virginia, authorizing her to act as his "Substitute as executor of the will of his brother Xtopher Robinson, of Virginia," which was dated January 27th, 1692-3, being himself prevented "by reason of his being employed by their Majesties King William and Queen Mary (whome God preserve) at the Court of Sweden."

The inventory of the personal estate of Christopher Robinson shows a total appraisement of the value of £1,558.15; charges against the estate £1,307.12.6½; balance £251.2.10. There is also another (additional) inventory amounting to £1,385.5.3½. Christopher Robinson had issue: I. Christopher, of "Hewick," born 1681, died 1727; member of the

of loading, which you'll find very good & considerable heavy, please to dispose them to my best advantage and deliver the produce to Mr. Nicholas Hayward or Order for the use of

Sir Your Wff.

To Mr. Thomas Storke Merchant.

July 10th, 1690.

Mr. John Cooper:

S^r This serves only for cover of a bill of Loading for eight hhds. sweet scented Tob^o which you will find weighs extraordi-

House of Burgesses 1704, 1706, 1710; sheriff 1723 and 1724, and naval officer of Rappahannock 1711. He married Judith, daughter of Christopher Wormeley, of Middlesex, and widow of William Beverley, and before of Corbin Griffin. The inventory of the personal estate of Christopher Robinson, of Urbanna, was dated March 28th, 1727, and recorded in Middlesex. Its total value was £1,063.10.3, and among the articles included were a watch, a silver seal, "a picture of the Bishop of London," 16 books, "a parcell of old books" (valued at 10 shillings), and articles at "Gordon's Store," and "at the lower burnt house." II. John, of "Piscataqua," Essex, born 1683, died 1749; appointed member of the Council 1720 (*Sainsbury Abstracts*), and as President of that body was acting Governor in 1749. He married, first, Catherine, daughter of Major Robert Beverley, and, secondly, before 1733, Mary, widow of Thomas Welch, of Essex, and before of Francis Meriwether, and daughter of Launcelot Bathurst (*Essex Records*). He was the father of John Robinson, Speaker of the House of Burgesses, and of Beverley Robinson, of New York. There is recorded in Essex the marriage settlement dated January 5th, 1731, between Hon. John Robinson, of Spotsylvania county, and Mrs. Mary Welch, of Essex, widow. She owned 65 negroes and other personal property, valued at upwards of £700 (this was in addition to the value of the negroes). III. Agatha, died young. IV. Ann, married Dr. John Hay, of Middlesex. There is recorded in Middlesex a deed, April 2d, 1707, from Christopher Robinson, Gent., to John Hay, Gent., in consideration of the affection of said Robinson for his sister, Ann, wife of the said Hay. Also a suit by John Hay and Ann, his wife, against the administrators of the estate of her father, Christopher Robinson, to recover one-fifth part of said estate. On June 6th, 1709, Ann Hay gave bond in the sum of £1,000 sterling as administratrix of John Hay. The inventory of John Hay included 77 books, Latin, English, medical, religious, law, &c., and another "parcel of old books," a doctor's chest, some physic, &c. Dr. John Hay was a justice of Mid-

nary heavy & consequently will help out with the high freight. I desire you to dispose them to my best advantage. Being from home cannot at present give answer to your's, only that part that relates to Coll^o Pye's debt. I cannot omit to shew my readiness to serve you upon all occasions, for immediately upon receipt of your letter, I sent to Coll^o Pye about it who made me this return, that he would this year take effectual care for your full satisfaction which I wish he do, yet doubt and must advise if he should this year fail, a speedy course is very necessary to be taken & Mr. Newton will be both ready, willing & active in it to serve you. I do not propose him, as unwilling to serve your Interest, but because of his convenient situation for the prosecution of such an affair and my own remoteness, for if it must be prosecuted, the Provincial court where Prosecution must be had is near a hundred miles distant from me & in a dif-

dlesex 1706, &c. There is on record in York county a deposition, dated 1727, by Captain Thos. Nelson, aged 49, and born at Penrith, in Cumberland, England, stating that in his youth he had seen John Gray *als* Hay; that the said Gray used to go from Kendall (where he heard his father, Dr. Gray, lived) to Scotland, and returned at several times; that about 1695, said Nelson settled at Whitehaven, and found Dr. Gray and his family living there, having married a second wife; that the said John, in that year or the next, went to Virginia, and that in December, 1696, the said Nelson came to Virginia, and was on the Rappahannock river in the latter part of January, and saw the said John, now called Dr. John Hay, at Colonel Gawin Corbin's; and in 1698, said Nelson came again to Virginia, and heard the said Hay had married Mrs. Ann Robinson; visited them in the next year; does not know whether they had children; but knew that in 1700 Mrs. Elizabeth Gray *als* Hay (daughter of Dr. Gray) came to Virginia, and that Dr. John Hay [? here the abstract of the deposition appears to be conflicting] had a son, Francis, living in 1705, who settled in York county. [The object of this deposition does not appear from the records. It probably related to some dispute about Dr. John Hay's estate.] V. Elizabeth (daughter of Christopher Robinson) died young; VI. Clara, married John Walker, of Virginia, son of John Walker, of Ashborn, in the Peak, Derbyshire. She died in 1715, and her tomb is at Urbanna; VII. Benjamin, sheriff of Essex, 1724 and 1725; clerk of Caroline, 1726-1763. He married Sarah King. The genealogy of the Robinsons, in the *Richmond Critic*, states that he was the father of commissary Wm. Robinson, but the entry in Foster's *Oxford Matriculations* shows he was son of Christopher, Jr.

ferent county but very near Mr. Newton. By my next shall be more & therefore shall now only tell you I am Your Wff.

To Mr. Jno. Cooper, Merch't in London p. Capt. James.

July 22d, 1690.

Mr. John Cooper:

Sr. The above is copy of my former writ abroad only for cover of a bill of Loading for eight hhd Tob^o consigned you in Capt. James, which I can assure you by the opinion of the most experienced traders in this country is very good Tob^o and you'll See it is considerable weighty when it comes to the Custom house scales, which I hope will yield a good price. Now Sr. in answer to your single letter which I received by Gutteridge and advised you did not duplicate by reason of the dangers of these times, in it I received my Account of Sales and acct current, both which I approve of. I have here enclosed sent you a bill of exchange drawn upon yourself for £5 from Mr. Darrell, which please to keep in your hands till my farther order and because I advised him to consign to you, I will caution you not to pay beyond his effects, I'll say no more. Mr. Hayward did intend this year to consign you some Tob^o, but freight being both scarce & dear, and his Tob^o light I believe hinder'd. Next year I believe you may be assured of some more from him.

Please S^r after the sales of my Tob^o to let my Mother have £10 if she be living & to convey the inclosed to her safely. I will assure you Sir I look upon my money very secure in your hands though this last year you were pleas'd otherwise to order it.

S^r I thank your care in the case & box which came safely to hand. I believe this year shall send you one Tonn of Tob^o more, am not certain, tell when I refer & have now only to assure you I am sir

Your Wff.

To Mr. John Cooper Merch't in London.

August 20th, 1690.

Mr. John Cooper:

S^r My brother Luke is now coming home in the Ship that

this comes to you in & he has promised me to effect two things one the getting me an ingenious boy out of the Hospital who can write read and cast accounts, whose passage should be paid & himself doubly cloathed as Coll^r Ludwell has brought in one this year, provided he should be continued in an employ suitable to his Education upon his arrival from thence, which would prove a convenient supply to my present occasions & my business requires a continuance therein, as the Hospital expects and desires; the other is getting of us, an able, learned serious & sober Minister whose allowance here would be large & comfortable & his setting forth there would be liberally contributed to by a twenty pound allowance that is granted to every one in that Quality that transports themselves to us, by the Bishop of London. What I have to request you is if he should fail to neglect, if it were not too much trouble, to keep his failures & supply neglects. I am Sir

Your Wff.

To Mr. John Cooper Merch't in London.

July 10th, 1690.

Mr. Nicholas Hayward:

Sr. Your severall letters of the ninth September by way of Pennsylvania p. Capt. Arnold of the 4th January by Capt. Purvis of 22d January, and indeed that which comprehend all by Capt. Gutteridge of the 3d December, I have received. I had an account of that by Peregrine Brown and sent a messenger purposely for it when I heard of his arrival, but miss'd and it is not yet come to hand. I have been thus merchant like this particular year because of the uncertainty and hazard of the arrival of Ships and consequently the letters that are in them. And now Sr. shall endeavour a full answer to each Paragraph in yours & shall first begin with that, that I suppose we shall have no farther occasion to mention, that is about the Ore sent home last year in Madge, wherein I must first tell you I approve not of your account, for you to charge yourself equal with us and be at that cautious care and great trouble in the divers essays and tryals, I think not reasonable, neither did I expect it for indeed the charge ought to have been wholly yours besides a full ac-

knowledge for your trouble, which I by this thankfully own. I must confess I had no great opinion at first of the Ore, and considerably turning over Josephus A. Costa, in his description of the reall good ore of Peru, with all the manner and methods of melting and refining, quite damp'd my esteem of this ore; it has no substance answering to his account till again reading a piece I had by me of Mr. Boyle's called his Scepticall chymist there in page 397 and 398, he gives an account of an ingenious Mineralist who, out of American Mineral Earth which the public Sagemasters could not bring to fusion and esteemed it useless Earth, by a peculiar flux seperated from it near a third part of pure gold which was the occasion that I particularly requested Mr. Boyle might have the experiment.

Sr. I heartily thank your kind remembrance of my proposed Exchange, &c. Really my self had almost forgot it and in despair of succeeding & though I am now abundant better fitted for such an Exchange, having now about a third more Negroes, severall good seats of land purchased, besides the absolute securing my great tract of 21996 Acres which I have now got Deeds for, as good as the Proprietors by their Attorney Coll^d Ludwell do or can give and which I question not, but will be fully confirmed if their title should be called in or questioned, as guessing, if at any time the whole tract should be thought inconvenient to be cantonized from the rest of the country, yet that they acted to particular purchasers will then be confirmed. And now do intend to settle it with Tennants for three lives, allowing to each Tennant 200 acres, paying twenty shillings a year or a hhd Tob^o without any manner of fine and to renew a life or lives at any time paying one years rent for each life so renewed to perpetuity, which is almost as good as giving them the land in fee simple, and should be ready to supply each Tennant with corn, provisions and nails for the first year, they repaying me again at the crop according to the market rate.

I give you this account of my Intentions for your larger discourse of the Exchange, not to propose an offer there, of supplying it with Tennants, esteeming unreasonable to make such an offer, considering your Brenton design wants people, which I esteem deserves and requires your continued care and diligence, in its supply, with Inhabitants, for Captain Brent's utmost en-

deavours will but make a thin supply here. S^r I was well assured of your kindness to act for me & great abilitys for performance, if my Lord Culpepper's death had not put a full period to that affair & also under some assurance from Mr. Secretary of its taking effect.

For your care Sir in the buying & Kindness in sending me my plate I cordially thank you, which came safely to hand and luckily too, for about 2 or three days after the receipt of it, I had the honor of the Governor's company at my house for 3 or 4 days, who first hanscell'd it, also your account with it, I both approve and allow of, only blush when I see no article of gratifica^a for so great a trouble. As to Mr. Darrell, I need say no more now than that I allow of & agree with your character given him. Sir this year I was designed to have sent home my eldest son to school there & did intend to request of your care of him & kindness to him but accidentally meeting wth a french Minister, a sober, learned & discreet Gentleman whom I perswaded to board & tutor him, which he hath undertaken, in whose family there is nothing but french spoken which by a continual converse, will make him perfect in that tongue & he takes a great deal of pains & care to teach him Latin, both of which go on hitherto very well together, only some books are wanting, as the french Rudiments of the Latin grammar, 3 of them, 3 french common prayer books, a french & latin Dictionary which I desire you will please to send me by the first conveniency, discoursing also with him of the conveniency of a coach or callash for this country, he perswaded me to send for a chaise "Roulant" as he calls it which I can no other way English than by calling it a Running chair, which he told me was altogether as convenient & commodious as either of them, & would be a cheap thing for an Essay, upon which I wrote to him to give me an account, & discipline thereof, who by the inclosed letter has largely done it.

Therefore Sr. I desire you will purchase me one of them and send it in by the first conveniency, I would have one as strong, plain and light as I could, for as he says he approves of the lightest sort for this country.

Sir I have overlooked all Mr. Massey's letter and acct. and find £106 sterling besides 30000 lb. Tob^a of your own & 10000 more of yours & Mrs. Lattens put into his hands, which has

been so ill managed that I am ashamed to see and can't possibly help for I find the Acct mostly made up of rotten Tob^o shipped and rotten left in the country and the debt left unpaid, hardly a thing to be got, and if it was narrowly sifted and he severely handled, truly as little to be got that way, for I think your precious factor not worth a groat, I find he has egregiously either plaid the fool or the Knave. I believe one may be a little spur to the other, but he has had the greatest share in the first & for what small use he has made of the last it has done him little good for he is so poor that nothing could be expected of him if it should be nearly look'd into and discovered, which in my opinion is not worth while; by the next shall send you a particular account, as also perhaps an account of a little Tob^o, that I am endeavouring to get shipt for you in Gutteridge, who now lies just at your Landing, the freight is dear, but if I can get him to take it in, I shall put in on board, for then if it will not answer you have liberty to let it alone, and so lose it for which there is a hazard, but if it should be left in the country it is then lost w^out farther expectation. Please S^r to acquaint Madam Letten that I have received her goods and notwithstanding they are unsuitable & high charged I shall use my endeavours to get them off for her. I am now in treaty to sell them altogether for next years pay, and by my next shall be able to give her an account and let her be assured what I can sell them for, she shall be secured in her payment for them and have her Tob^o returned to her next year at an ounce, for the debts that she sent in this year, I think there's but one hhd thats possible ever to be got; by next shall give her a full and particular answer, with a full assurance that what comes with a Recommend from such a friend as yourself, shall studiously and sedulously be endeavoured to be comply'd with, and though it is a shamefull account you'll both have, when it comes to be particularized, yet I am glad of this small opportunity to shew you how ready I should be upon all occasions to serve your self or friends and esteem myself very happy that you think me worthy the title of.

Sir Since the writing of the above, looking over Mr. Secretary's papers on behalf of his Widow, find there in Mrs. Meese's*

* Probably the widow of Colonel Henry Meese, of Westmoreland county, member of the Council, who removed to England.

Letters to demand money that had been a long time due to her; amongst other passages she complains to him about the selling of her land here & returning of her some money & pretty near in this expression "Since S'" says she "it would yield me some money & if Parson Waugh cannot in all this time pay one penny, there's little hopes he ever will be able, therefore I would have you sell to some other body, that should be able to pay me something." from which passages I gathered two things, one that theres no sale already made to Waugh, the other that now she would willingly abate of her price set to Waugh, which was 100 or 120 £ sterling & the truth of which he is never capable of payment. I presume 70 or 80 or to be sure 100 offered her down, as soon as she has made a firm conveyance, & by some attorney in the country delivered possession might make the Purchase. The title she has to the Land I believe is by her Husband's will. S' I request the favour of your management in that affair to make the purchase for me, tho' it be for the highest sum above mentioned. I need not propose you Methods for the Management; your methods in the purchase of Osborne's seat was so well done that I need say no farther, only not to pay the money till the Deeds are here confirmed & possession here taken lest Waugh should have any blind sale or claim, but to give her security to answer the money, immediately upon the first advice of the confirmation of the sale there.

By my next S' shall also send your bills of Exchange for £120 sterling & perhaps something more. I am

Sir Your Wff.

To Mr. Nicholas Hayward &c.

January, 1690-1.

Madam Warner:*

I have thoroughly weighed & considered your husband's will, both as to the Devising the severall lands therein mentioned, as also the Distribution of his personall Estate, and do find to the best of my Judgment that your second son George now, as heir

* Mildred, widow of Colonel Augustine Warner, Jr., of "Warner Hall," and daughter of Colonel George Read.

to his brother and father, will hold and enjoy all the lands which would also have happened by the particular bequest and limitations of the said will, if it had been good, which for reasons that I shall hereafter shew you, I esteem not good, for all the pretensions that can be, of a Right to your youngest son Robin by the will, is only to make good the Remainder for want of a particular Estate to raise the said Remainder upon, which I must confess if it had been in a Deed would have so operated, but in a will it is quite otherwise, as I have largely discoursed Mr. Chilton* in that matter to whom I refer.

As to the younger children's Right in the personall Estate I look upon it as good & equall with yourself and any of the eldest children, for where any will is made and no filiall portions to some of the children nor provision made in the life time of their father, that will ipso facto is void and they shall come in for an equall share with the rest of the children, that it is so, reason & naturall equity will tell you, for if by the law the father's omission or forgetfulness shall not be construed to the utter ruin and destruction of a child, as by the settled and agreed Law of filial portions a fortiori where the intention was otherwise, but suddenly by weakness or death prevented as in Mr. Warner's case of his latter will, and though that cannot operate so far as to make the first Dispositions good and valid in Law, yet it concurs with the law itself to invalidate & make void the first will wherein young children, which at the time of making thereof, were not known and are by it wholly and totally unprovided for, and that contrary to the meaning and intent of the Testator as by the last intended will appears, for both Law and reason allows, that some suffer little, rather than that others be totally ruined & destroyed. I must confess it would have been a mighty mischief to your son G. if your son H. had lived, for invalidating the will would have proved his disherison, but now there's no such predjudice to be

* Edward Chilton, barrister at law, late attorney-general of Virginia, was, in 1696, appointed advocate and attorney-general of the court of admiralty of Virginia and North Carolina. He was probably an English lawyer. It is not known how, if at all, he was related to the family, or families (for there appears to have been more than one) of the name in the Northern Neck.

feared, for G. as well by the will as by the Law, had a Right to the whole lands, in my opinion, as well Rappahannock as else. How this is to be managed & what damage you have sustained for want of more timely proceeding therein, and the nature of your payments already made, will here take up too long a Discourse, therefore Mr. Chilton and I have largely and particularly discoursed that matter, who will give you full advice and information therein, together with your particular prejudice for want of your immediate Inventorying the Estate and the present conveniencys and inconveniencys that happen to yourself thereby, also measures for your future proceeding therein.

As to your Father's Deed of 2000 acres of Land, I am inclining to believe the fee simple in yourself as survivor and consequently the disposal thereof; because the fee is raised after the settlement^a of the longest lives & so consequently upon the longest liver, but what makes me doubtful is, whether the word Heir, has relation to the heirs of the survivor, or that the first settlement of the fee be upon the heir proceeding from the loynes of both, because that pronoun is in the plural number, &c. Now M'dam it will seem very hard perhaps upon your son George, but to have an equal share with the rest of the children and especially the youngest daughter, but if it be considered withall, that he has all the lands of his father that will alienate, and farther also considered that if the land were not so, the two youngest children were totally ruined and beggard, unless by God's providence & your indulgence preserved from that fatall mischief. Also your son H.'s death, has made little or no alteration, for as his share of the personal Estate is to be equally divided amongst you, so a division of all, makes the same thing as if his land had been separated. For the 10000 lb. Tob^o legacy to Walker Cant, though the Condition be joined to the Execution and not to the substance of the Legacy, which by all the books speaking generally makes the Legacy due at the time, tho' the Legatee live not so long, yet I am of opinion this case of your's is an exception from the said general Rule and that the Legacy is not due, because the intent and meaning of the Testator seems otherwise, which is the chief guide for the construction of a Will, and here the Testator's intent appears that he shall have 10000 lbs. Tob^o if the Land devised to his Brother Austin did not come to him,

by that he was twenty one years of age, but if he never had the land then the Tob^o and on the contrary if he had the Land or a Right thereto, then no Tob^o, but had a Right to the land by his brother's death, therefore, &c. As to the Trotters Neck, I won't be positive, but doubt that the heirs of Cant* will enjoy it according to the will of their Grandfather and can assure you that if there be severall demises of one thing in a Will, the last demise shall take place, tho' it be otherwise in a Deed or Grant, if any gets the heirs of Mr. Warner a Right thereto, besides the death of Jno. Cant without issue, it must be upon the incumbent charge imposed upon young Mr. Warner of paying 10000 lbs. Tob^o out of his estate demised; which gives it the countenance of a purchase upon good consideration, which I apprehend must be the foundation of any of your son's expectation, for the possession and enjoyment of that Seat. Thus Madam I have given you my weak sentiments of your severall queries in relation to the severall Wills & Deeds sent me, according to the best my skill; what is farther to add is to refer to Mr. Chilton for what's defec-

*Major David Cant, who married a daughter of Colonel Augustine Warner, Sr., received several grants of land; on April 2d, 1662, 600 acres on the south side of the Pianketank, purchased from Thomas Ballard; March 25th, 1664, 500 acres in Gloucester, on Pianketank, purchased from Gilbert Metcalfe; October 1st, 1663, 912 acres in Gloucester, on Pianketank, including the 600 purchased from Ballard; October 13th, 1663, 100 acres in Lancaster [Middlesex], on Nimcock creek. He had at least three sons: I. Augustine, who, June 12th, 1665, was granted 750 acres in Lancaster (Middlesex), on the north side of Pianketank, 500 acres of which was purchased by Colonel Augustine Warner and Major David Cant, for the use of the said Augustine Cant, and 250 were due Augustine Warner for the importation of five persons; he received a regrant of this in 1678; II. David, who, on June 15th, 1675, as "son of Major David Cant, deceased," was granted 1,400 acres on the south side of Pianketank, in Gloucester, 600 of which was purchased by his father from Ballard and bequeathed to the said David Cant, the younger; and 500 were purchased by Colonel Augustine Warner, and by him bequeathed to his grandson, the said David Cant; the remainder was unpatented ground; III. Walter, who as son of Major David Cant, deceased, received, June 15th, 1695, a grant of 500 acres in Gloucester, on the south side of Pianketank, which was the property of his father, and by his will bequeathed to the said Walter.

John Cant, doubtless another son, was burgess for Middlesex in 1692.

tive, who wth his better abilitys is and I am sure will be willing to supply those Defects, and skillfully to assist in the whole and full management thereof, and to assure you, I am Madam

Your Wff.

To Mildred Warner, &c.

INSTRUCTIONS TO BERKELEY, 1662.*

Instructions to our Trusty and well beloved Servant Sir Wm. Berkeley, Knight, our Governor of our Colony of Virginia: Charles R:

That God Almighty may be more Inclined to bestow his blessing upon us and you in the Improvement of that our Colony, you shall in the first place take special care that he be devoutly and Duly served in all your Government, the Book of Common prayer as it is now Established Read Each Sunday and Holy Day and the Blessed Sacrament administered according to the Rights of the Church of England; you shall be carefull that the churches already built there be well and orderly kept, and more built as the colony shall by God's blessing be improved, and that besides a competent maintenance to be assigned to the minister of each church out of the fruits and production of the Earth and Labour of the planters; that a convenient House be built at the common charge and for each minister near each church and one hundred acres of Land assigned to him for a Glebe and the exercise of his own Industry.

2. You shall within one month after your arrival or sooner if you think fit, call a General Assembly according to the usages of that our colony, and that at the opening thereof you shall declare to them that we are graciously pleased to grant a free and general act of Pardon and Oblivion to all our Subjects of what Degree and Quality soever of that our colony of all crimes offences and misdemeanors soever committed since.

* These instructions were for the term beginning December 23d, 1662, and ending April 27th, 1677.

Excepting such Persons who are attained by act of Parliament in this our Kingdom for the horrid murder of our dear Father of blessed memory, if any of which Persons shall at present be within that our colony or shall hereafter repair thither, he or they shall be forthwith apprehended and sent hither to receive condign punishment. Provided that you and the assembly take present care for the repeal of all Laws and orders made during the times of the late Rebellion and usurpation against our crown and Dignity and derogatory to the obedience which all our subjects of that our colony do owe unto us and to our Government and which we presume they are willing to pay to us.

3. You shall Let that assembly know that we do expect from you and them that you establish good and wholesome Laws and orders and Execute them accordingly for the punishment, discountenance and suppressing of all vice, Debauchery and Idleness, of which as all good Christians ought to be ashamed in all places, so in new plantations if far from their own country, and when they are exposed to so many dangers, inconveniencies and wants that without an extraordinary and wonderful protection and assistance of God Almighty they are in daily hazard of perishing, the same ought to be more abominated, and that they likewise establish all necessary encouragements for virtue, Industry and obedience and for what soever may advance the wealth, Honour and Reputation of that our colony and of every member thereof in order to which we do very heartily recommend to your and their care and consideration.

I. That care be taken to dispose the planters to be willing to build towns upon every River which must tend very much to their security and in time to their profit, of which they cannot have a better evidence and example than from their neighbours of New England, who obliging themselves to that order have in few years raised that Colony to great wealth and Reputation and security. We wish that there may be at least one Town upon every River and that you begin at James River, which being first seated we desire to give all countenance and to settle the Government there, and therefore as we do expect that you give good example yourself by building some houses, those which will in a short time turn to your profit, so you shall in our name let the Councillors of that Colony know that we will take it very well

at their hands if they will each of them build one or more houses there, and you shall give a particular account by a Letter to our self of the success of this our design, what orders are made by our assembly for the advancement thereof, and what particular persons do engage themselves to build upon this our Recommendation.

2. That all possible endeavours be used and encouragement Given to advance the Plantation of Silk, Flax, Hemp, Pitch and Potashes for which we are well assured that climate and soil are very proper, we our self having made experience of the silk grown there and finding it to be equal to any we have seen and yet seems to be most difficult of any of the rest. We expect that upon the Review of what is already established for the Encouragement of these particulars, new and greater Rewards and encouragements be given thereunto in proportion to the great Benefit that our colony would in a short time reap thereby.

3. Whereas we have been moved to put some restraint upon the planting of Tobacco in that our colony both for the advancing the other comodities we have recommended to you, and because the price falls so low by the great quantities brought in from our other plantations that the same will not in a short time be valuable to the planters or merchants, and where as we have been likewise moved to make some order for the Limiting of the Ships which trade thither that they shall not lade and return from thence but from and during some time limited, at all which debates you have been present and in all which our privy council have forbore to give any Determination by reason of the Difference of opinions between the merchants and Planters and masters of ships, no one party of which seem to be of the same mind and opinion, we do recommend the consideration and debate to you and to our assembly to the end that upon the due deliberation of what is best for our colony, we mean for the general good and future advancement thereof, not the particular profit of a few less Industrious persons, such good rules may be established as may be for the general Benefit, and because what may be found necessary to be settled in these particulars will require that the same provision be likewise made in Maryland, we do direct you that some commissioners be appointed to treat

with others of Maryland to that purpose and a fit place agreed upon for the same. In order whereunto we are well assured the Lord Baltimore will send directions to those who are Intrusted by him, and if any thing shall be insisted on by them contrary to reason and prejudicial to our colony of Virginia upon representation thereof we shall give a Determination therein such as shall be just.

4. Whereas there hath been Represented to us an order of our council for the Colony concerning 2d Imposed by the Assembly upon every Hogshead of Tobacco exported out of that our Colony upon which some Limitations have been offered by the Masters of ships, we are well contented to confer in the said Inspection of 2d aforesaid or any other Imposition our assembly shall judge fit and reasonable to make for the good of the Colony the support of our government there and the bringing in and planting the commodities aforesaid, and we are graciously pleased that out of the said money so imposed one Thousand pounds p. annum be constantly Issued to our Governor there for the time being and the Remainder thereof whatsoever it shall amount unto, shall be disposed towards the encouragement of the plantation of the commodities aforesaid, a true account whereof shall be yearly transmitted to our Council of Plantations residing here by you our Governor and such who shall be appointed to manage the same.

5. Whereas we have certain knowledge that there is greater endeavours used by the Ill arts of some and negligence of others to defraud us and this Kingdom of the freight and benefit which would accrue by the act of Parliament concerning navigation if the same was carefully and faithfully executed and observed, in that very much Tobacco is shipped in that our colony in Dutch Vessels wherein some English mariners are entertained for that purpose and that very much which is put on board some English vessels not yet brought into England and entered here as by said act, it ought to be insomuch as the Quantity of Tobacco brought into this our Kingdom is in no proportion to the Quantity yearly transported out of that our colony. We do hereby require you that a very exact account you do cause to be entered there and transmitted to our commissioners and farmers of our

customers here, of all the Tobacco which shall be shipped from that our Colony in English vessels and that you suffer none other to be shipped from thence, with the time when the same was shipped, the name of the Ship and of the Master and to what place he or they are bound, to the End that Discovery being thus made care might be taken for the severe punishment and prosecution of those who shall transgress the said act of Parliament.

6. We being informed that the grant of our Royal Father of blessed memory heretofore made to that our Colony to exempt the Planters from paying quit Rents for the first seven years, hath turned to the great prejudice of that our colony, and that many have abused that Grace and taken occasion thereby to take and create a Title to themselves of such Quantities of Land which they never intend to or in truth can occupy or cultivate, but thereby only keep out others who would plant and manure the same; we do therefore revoke all such Grants as contrary to the Intention of our Royal Father and to the good of the people, and do appoint you by and with the advice of our Council to give direction to the Treasurer and his Deputy, that the Quit Rents be carefully and Justly levied and no longer forbearance thereof by reason or colour of such occupation or discretion as aforesaid, and you shall likewise require our Treasurer or his Deputy to be careful to enter upon all such Lands as are lawfully escheated to us, and authorize him to make new Grants of the said Escheated Lands, in such manner and with such Limitations as shall be directed by you and our council.

7. Amongst other good works we desire to erect in that our colony of Virginia, we have a desire to erect such an Iron work as may be (in truth) considerable and above what a private undertaking can go through, and do therefore if we find encouragement thereunto resolve to undertake it our self, and in order thereto we would have you debate the whole matter and all that may conduce thereunto, with our council there and upon a clear state thereof and upon a view that there is plenty of good oar fit for the same, you transmit your advice and opinion thereupon how we may best undertake it; what we must transport from

hence for that purpose and all things which are necessary thereunto and we shall thereupon provide as we shall think fit.

8. You shall once every year transmit the true & full state of that our colony to our council of Plantations here, with a particular account of every Improvement you observe to be made by the Industry of the Planters, as well as by the direction of the Government, in the year past. What number of people have been transported thither that year and what new plantations they have ent^{red} upon and what new encouragement you desire from hence that so upon a representation made to us by them, we may show you by some new and multiplied grace and favour how much we take to heart the good and benefit and advancement of that our colony and the good subjects thereof.

9. Lastly we having now upon your desire granted a commission of Oyer and Terminer for the better administration of Justice, and punishment of offences with in that our colony, we do earnestly recommend to your care wisdom and Industry and Integrity that Justice be well administred and Impartially, and that our good Subjects have no cause of Complaint, and if you and our Assembly shall find it requisite for the better execution thereof that some persons Learned in the Laws be sent from hence and shall provide competent Salaries for them; we shall upon such your representation make choice of some fit persons for the performance of that service.

Given at our Court at Whitehall this 12 Day of September in the 14 year of our Reign 1662.

By his Majesty's Command.

VIRGINIA UNDER GOVERNOR HARVEY.*

(COLONIAL PAPERS, VOL. 10, NO. 57.)

Right Hono^{ble}

Wee have received yo' Lor^{pp} Hono^{ble} Letters of the 29th of July Last past requiring us to take care that a certificate inclosed under the hands of the sub committees for Forraign Plantations Should be by us observed, and executed until further order shall be established by yo' Lor^{pp} upon our answer to two Petitions likewise there^{wth} sent w^{ch} pr'sented to yo' Lor^{pp} one in the name of the merchants adventurers, Masters and others trading to Virginia and the other in the name of the Planters, Traders and others of the Plantation in Virginia.

The First Informeth that they have ever had free accesse unto the said Plantations w^{thout} payment of any charges whatsoever untill of Late they are compelled by the officers heere to pay these sev'all taxations as followeth: First for every shipp that comes hither conteyning two hundred Tunns fifty pounds weight of powder and soe p'portionably for every ship of greater or lesser burden, and allso after the same Rate for shott, match, and all other sort of defensive provision whatsoever.

That the petitioners are compelled at their comming to Virginia to sweare all the Passengers that they bring hither, and to pay six pence p' piece for every one of them, Not^{wth}standing the Petitioners in obedience to sev'all orders, and Proclamations made in that behalf doe sweare the sayd Passengers before their departure from thence etc.

That the Petitioners are by the officers heere compelled to pay two pence for every hogshead of Tobacco, w^{ch} they ship aboard any of their shippes notwthstanding the greate customes and Imposts that that commoditye payes in England at their Returne.

To all w^{ch} wee submit our answer to yo' Lor^{pp} with the reasons of the sayd p'tended taxes as followeth:

* Governor Harvey was deposed and sent out of the colony in 1635. but was reinstated in the following year.

At a grand Assembly holden by the Governor and Counsell then being together wth the Burgesses for the sev'all Plantation, bearing Date the 21st of February, Anno Dom. 1631, (the Fort at Point comfort being then newly finished). It was thought fitt by the said Assembly for a continuall supply of ammunition to the sayd Fort to order a p'portionable payment of powder and shott from the shippes trading wthin the Colonye, the true cōpye of w^{ch} act then established out of the Records under the signett of the counsell and the hand of the Sec'tarye Wee here^{wth} present, being made seaven years since.

The same act in noe part caryed was renewed and confirmed by an assembly holden the 4th of September, Anno Dom. 1632, here^{wth} also certified as aforesayd.

This Act was repealed and the payment abated att ann Assemply holden the 21st of August, 1633, the copy whereof is now likewise Transmitted according to the Tenor of this Last being five years sethence enacted, the payments of powder, and shott mentioned in the Petition have bene constantly made wthout any alteration or innovation therein by us of the commission now in force, but whereas they add match and all other sort of defensive p'vision whatsoev^r wee are altogether ignorant of what they intend thereby further then this Last Act Expresseth.

And whereas yo^r Lor^{pp^s} require from us a particular accompt how this aforesayd powder and ammunition have bene employed for three yeares Last Past and what provision thereof remayneth and in what places.

Yo^r Lor^{pp^s} may please to be informed that a yeare since Capt. Francis Hooke* dyed (who had borne the command of the Fort

*Writing April 9th, 1635, Governor Harvey tells Secretary Windebank that he knows no man so fit to command the fort at Point Comfort as Captain Francis Hooke, who was an old servant of King James, and requests the King's approbation for his appointment to that office (*Calendar English Colonial State Papers*, Vol. 1). He had lately been a naval officer, commanding a ship on the Irish coast (*Virginia Carolorum*). On January 18th, 1636-7, he was appointed a member of the Council, but only lived a few years. At a Quarter Court held at Jamestown April, 1640, Captain Thomas Willoughby represented that he had furnished a barrel of gunpowder, of the weight of 100 lbs., "to accomodate the funeral" of Captain Francis Hooke, the late commander of the fort at Point Comfort, and one of his Majesty's Councillors for Vir-

two yeares) at whose death there was not soe much powder left in the Fort as would Lode one piece of Ordinance to discharge att his Funerall, But there was deu by his Booke fifty pounds of powder to the Fort being Lent by the sayd Capt. Hooke the Summer before to one Lieftenant Upton* in a case of Distresse and Danger Doubted from the Neighbouring Indians to the Inhabitants of the Isle of Wight countye where the sayd Upton is the p'sent commander.

Upon the death of the sayd Capt. Hooke one Capt. Christopher Wormeley† was appointed by the Governor to attend the

ginia. The Court ordered the same amount of powder to be returned to him. The following patents were issued: (1) Captain Francis Hooke, Esqr., 100 acres in Elizabeth City upon the Strawberry Banks, and on a creek next to the fort field, August 9th, 1637; (2) Captain Francis Hooke, Esqr., 50 acres in Elizabeth City in Pascall's Neck, and lying south on Point Comfort creek, August 10th, 1637; (3) "Captain Francis Hooke, Esqr., and one of the Council of State, to him and his successors, who shall be Captain of the fort after him, forever, a parcel of land commonly called the fort field, beginning at a well [spring?] commonly called the Plackett well, which is upon the creek side, which runneth up by the Gatehouse west, and soe to a place where a house stood where one Powell lived, and from there directly to a spring on the bank of the Creeke right over against the house of Thomas Oldis, Gent.," August 28th, 1637; (4) Captain Francis Hooke 2,000 acres [in the present Prince George], bounded on the Flowerdew Hundred side by a creek, and on the Martin's Brandon side by Asheley's bay or Captain Ward's creek, October 6th, 1637.

Berry's Sussex and Hampshire Genealogies give pedigrees of a family of Hooke, which is doubtless that from which Captain Hooke descended. Richard Hooke, of Surrey, married ——— Payne, of Eaton, and was great grandfather of John Hooke, of Bramshott, county Southampton, Esq., who was the father of (1) Henry, of Bramshott, Esq., who married Margaret, daughter of Cuthbert Lyne, and sister of Sir Humphrey Lyne, Knight, and was living in 1634, and (2) Francis Hooke, "Captain R. N."

* See a note under "Land Patents" in this issue.

† Captain Christopher Wormeley was Governor of Tortuga 1632-35, and appointed member of the Virginia Council in 1637 (*Calendar Colonial State Papers*); was a justice of Charles River [York] county 1636 (*York Records*), Commander-in-chief of Charles River and Elizabeth City counties 1639-40 (*Robinson's Notes*), and was in England in 1641. He

service of the Fort untill his Ma^{ties} further pleasure therein should be Known who comming to the command after the arrival of most of the shippes of that yeare received little powder, the masters p'tending they had payed at theire going out, and what was payd was soe bad that it onely served to give every ship a salute at her departure according to the custome of the place. By w^{ch} meanes at the enterance of Capt. Richard Morrison the p'sent commander by commission from his ma^{tie} he found but sixteene pound of powder which hath bene this yeare received, and what is unpaid, and what is now remayning (besides the fifty pounds deu as aforesayd from Liefteuant Upton w^{ch} shall bee forth^{with} returned) yo' Lor^{ships} may please to receive in List here^{with} p'sented under the hands of the sayd Capt. Wormeley and Capt. Morrison.

2^{ly} It was one of the Instructions from the Late Treasurer and company to S' Francis Wyatt K^t at his coming to be governor bearing Date the 24th of July 1631 th[at] all persons arriving to Inhabite heere should take the oaths of allegiance and supremacye as by the Duplicate of the sayd Instruction humbly p'sented appeareth.

The like was commanded by Instruction from that most hono^{ble} Board bearing Date the 19th of aprill anno Dom. 1626 directed to S' George Yeardly Knight then governor and to the counsell heere, the copy whereof is herew^{ith} all Transmitted.

The same was required by Instruction from yo' Lor^{ships} of that most Hono^{ble} Board directed to Capt. John Harvey Governor, and the counsell heere bearing date the 6th of August 1628.

The same is now againe commanded by Instructⁿ from his ma^{tie} directed to John Harvey Knight Governor and the Rest of his mat^{ies} counsell therein nominated bearing date the 22nd day of May in the twelft yeare of his Highnes Raigne. The copyes of both for yo' Lor^{ships} fuller satisfaction wee have p'sented though

married Mary ———, and was dead in 1649. He probably left a daughter, Elizabeth, who married Richard Kemp, Secretary of Virginia, and may have been the father of Christopher Wormeley, of Middlesex, who was appointed to the Council in 1683. An account of Captain Christopher Wormeley's English ancestors is given in "Recollections of Admiral Ralph Randolph Wormeley."

the [re] nothing vary in substance from the former to S^r George Yeardlye and for the payment of six pence p pole for all Passengers. It was enacted at a grand assembly holden the 21st of February anno Dom. 1631 That the Captain of the Fort should Keepe Register of all Passengers names together wth their ages countries and Townes where they were borne as by the s^d act truly copyed, and sent more at large appeareth which act also injoynes the sayd Capt. among other things therein expressed to administer the oath of allegiance and supremacye to all new comers.

For whose satisfaction and paynes in the execution of the p^rmisses six pence p. poll was ordered to him the sayd Capt. by act of court bearing Date the 10th of March anno Dom. 1633 heerwth likewise certified. Which order of court through the neglect of the then Sec^rtary being imperfectly Drawn received check, and cavill thereby, divers affirmeing that six pence was ordered to be demanded, but noe payment commanded.

Thereupon Capt. Hooke the then Commander (in the absence of S^r John Harvey) sue (d) to the court for redresse and had the former order enlarged as by Duplicate thereof may appeare to y^r Lor^{pp}, upon w^{ch} order Capt. Hooke receiving the sayd six pence p. poll. The now Capt. by a clause in his Commission under the Greate Seale to receive all the ffees that Capt. Hooke had, or might have had Claymeth the same.

3^{ly} His ma^{ty} was pleased by his Highness Letters under his Royall Hand and signett bearing date at Rufford the 4th day of August, and in the Twelfth yeare of his Raigne directed to the now Governor and counsell to require us cause some fitt place to be appointed where entry should be made of all Tobacco, and other goods hence exported etc.

And that wee should ordeine an able officer to keepe a Register thereof, who is to certify yearely the Lord Treasurer of England for the tyme being what Tobacco, and other goods are hence exported for whose incouragement his mat^{ies} pleasure was that wee should appoint the sayd officer a competent ffee and allowance out of the sayd commodities. In p^rformance whereof, wee were further required (as by the Duplicate herewth p^rsented) may appeare to your Lord^{pp} to be very diligent.

In obedience to w^{ch} mandate from his mat^{ies}, Mr. Richard Kemp

the Sec'tary was appointed to certifie the Invoices as aforesaid and to keepe Register of yt accordingly.

And wee p'pounded to the assembly that they would advise some ffee and allowance for his paines therein according to his Ma^{ties} express commands w^{ch} fee and allowance was ordered to be two pence p cask for the Tobacco and after the same Rate for other goods, to be payed to the sayd officer by the Masters of the Shippes when they bring in their Invoices. All w^{ch} more at Large appeareth by the Act itselke truly copyed and certified.

In which case yo^r Lor^{ships} may please to be informed that his ma^{ties} commands to the aforesaid effect arrived about the 17th of January, 1636, and were published about the 20th of the same month, to the Counsell, and Mr. Kemp was then appointed to execute that service w^{ch} he did that yeare accordingly (there being at that tyme but one shipp gone out of the river) but w^{thout} any ffee or allowance, or demand thereof, though he might have required it with warrant sufficient.

But he concurred (as he informed the Masters) that it would bee too burthensome for them to pay the sayd fee that yeare in respect theire shippes were freighted (before notice of the order) for want whereof it could not be p'vided by them to take caution of the owners of the Tobacco for their repayment.

The year following (vizt) 1637, The Shippes payd the said allowance, or valuable satisfaction, not all in money (as is informed), for some gave Tobacco, others Bills of Exchange, and some who could best spare it money. But yo^r Lor^{ships} may please to be further informed herein that the last five Shippes that went away the last yeare payd the sayd ffee to Mr. Jerome Hawley the Treasurer, who was specially appointed by his Maj^{ties} to that service by his Royall of the 22th of April in the thirteenth yeare of his Ma^{ties} reign, by whose Death the sayd office is again placed upon the Sec'tarye (who not w^{thstanding} his Ma^{ties} pleasure for an allowance, w^{ch} is ordered in soe faire a way as by an Assembly) in submission to yo^r Lor^{ships} Order readily obeyeth according to a act of Counsell made to that purpose by us since the receipt of yo^r Lor^{ships} Hono^{ble} Letters, that the taking of that ffee shall be suspended, the shippes giving in bond for the payment thereof yf yo^r Lor^{ships} shall fynd it fitting.

And whereas the difficulty of payeing sterling money is In-

formed The Assembly whose interest for the matter of payment it is, did not soe conceive of it, but they found it more fitt and the masters better inabled soe to discharge it then for the officer when his service at p'fixed place is required to collect it, or trouble himselfe wth keeping the account of it. The uncertaintye of Tobacco was allso considered, and therefore noe deu payment to be regulated that way, for wth reason the ffees of the sec'tarye and of the Sheriffs, or Marshall's have many yeares since by act of assembly bene rated in money, much inconvenience thereby being avoyded both to the officer and Planter according to the raising and falling of the commoditie, and yett the sayd officers doe not exact money sterling for theire ffees, but valuable satisfaction eyther in Tobacco or corne in w^{ch} course the act doth warrant them.

And the Sec'tarye doth humbly submitt his moderate demeanor, and carriage herein to yo^r Lor^{ps} graver consideration.

The first yeare the service to his greate Labour was by him executed w^{thout} reteining the allowance.

The last yeare some of them payed to him in money the rest eyther by bill exchange or valuable satisfaction otherwise, and what he did receive in the whole, was but part of one yeares shipping, w^{ch} is a matter too light to inrich him according to the noyse thereof made by some.

By our humble answer to this first Petition and the three taxations therein mentioned yo^r Lor^{ps} may please to fynd the first payment established heere seaven years since.

The second in the matter of execution seaventeene years since, and the payment seaven years sithence.

The third by his Ma^{ties} spetiall commands to the now governor and counsell Directed. And therefore we humbly submitt our sufferings herein in that they informe, That of Late they are compelled by the officers here to pay etc. Which they impute was whom his ma^{tye} is pleased at p'sent to appoint of his counsell heere resident.

For answer to theire second Petition whereas the Petitioners Informe that that they and all that ever traded to Virginia since the first Plantation there have allwayes enjoyed a free Trade and Liberty to unlode theire goods, and commodities at any of the

sayd Plantations wthout any restraint at all, and were never confined or Lymited to one Place only to unlode their goods.

That now by an order made by the Governor of the sayd Plantation in August Last the Petitioners are confined and compelled to unlode their goods only at James Towne and noe where els' etc.

Wee cannot but wonder at the strangeness of the Information and that wthout awe or dread of yo' Lor^{ps}, they should assume the priviledge from the distance between them and us, to bring to yo' Lor^{ps} such apparent falsities, and untruths to the Scandall and traducing of the persons and actions of those who sitt heere by the authoritye of his ma^{ty} Royall commission.

What they meane by an order in August Last, they better know then wee, for they may as trewly charge any thing to us as that, w^{ch} by the sequell will more plainly appeare to yo' Lor^{ps}.

In the tyme of the Late Treasurer, and Companye (as all men that lived heere in those tymes constantly affirme) there was noe Port allowed but this of James Towne, Nor noe merchant but one Cape merchant, who had his residence at the sayd place.

What Instructions S^r Francis Wyatt received to that purpose (who was the first Governor after recalling of the companyes Pattennt that had immediate commission from the King) wee are not able to Informe through the defect of the Records in that particular.

The succeeding Governor S^r George Yeardlye among his other Instructions from that most Hono^{ble} Board had this in espetiall charge not to suffer any Masters of shippes to break bulk before their arrival at James Cittie as by the Instruction itself certified appeareth, which was duly (as it very well knowen, and confessed by the Masters of shippes trading hither in those tymes) by him executed.

The Governors elect after the death of S^r George Yeardlye by his commission were required to observe the same Instruction.

S^r John Harvey the Governor that now is by Instruction of the 6th of August, 1628, from yo' Lor^{ps} of his Ma^{ty} most Hono^{ble} Privy Counsell directed to him by the name of Capt. John Harvey was especially required to regulate the shipping in the same manner, his Instruction agreeing verbatim wth that given to S^r George Yeardlye certified as aforesayd.

His Ma^{tie} has pleased by his Highnes Instructions under his Royal hand of the 22th of May in the Twelfth yeare of his Raigne directed to S^r John Harvey, Knight, Governor and others of his Ma^{ties} counsell therein nominated peremptorilye to command us, that to avoyd the intollerable abuse of ingrossing commodities and Forestalling the markt. We should require all Masters of shippes not to break bulk till they arrive at James Cittie or otherwise w^{thout} spetiall order from the Governor.

By all w^{ch} yo^r Lor^{ships} may discern the falsitye of the accusation in that they informe, they are confined and compelled by an order made by the Governor heere in august Last to unlode etc.

When on the contrary his ma^{ties} commands are now instant upon us, and the Directions of that most Hono^{ble} Board have in all tymes bene p^{re}emptory for the effecting, and executing thereof.

The intollerable abuse of engrossing commodities & fforestalling the market by the greate wisdom of his ma^{tie}, and of yo^r Lor^{ships} being foreseene and p^{re}vented in this order.

Without w^{ch} course it is likewise impossible for us to render any deu account to other Late Instructions from his Ma^{tie} directed unto us.

We are required to endeavor to reduce, and draw the people into Townes w^{ch} as yet is by noe other meanes, and wayes to be effected then by confining the Trade to one place, w^{ch} will draw merchants and Tradesmen to build and inhabit together. In p^{er}suaunce of w^{ch} his ma^{ties} Instructions wee did the last yeare p^{ro}pound to the assembly, and an act did accordingly passe.

That a convenient p^{ro}portion of ground for a house and a garden Plott should be allotted to every p^{er}son that would undertake to build upon the same Land and the Grant or Pattent from the Governor to such p^{er}son soe undertaking should be good and effectuell in the Law against any p^{er}son clayming any former Right or proprietye in the sayd land as if noe such Right or proprietye ever had bene reserving notw^{ith}standing to all Owners of Land prioritye and priviledge to build thereupon as by the same act w^{ch} all the Rest of that Assembly two yeares since p^{re}sented to yo^r Lor^{ships} more at large appeareth.

Since which order there are twelve houses and stores built in the Towne, one of brick by the Sec^{re}tarye, the fairest that ever was knowen in this cuntrye for substance and uniformitye, by

whose example others have undertaken to build framed howses to beautifye the place, consonant to his ma^{tie} Instruction that wee should not suffer men to build slight cottages as heretofore.

Such hath bene our Indeavour herein that out of our owne purses wee have Largely contributed to the building of a brick church, and both masters of shippes and others of the ablest Planters have liberally by our p'suasion underwritten to this work. A Levye likewise by his ma^{tie} commands is raised for the building of a State howse at James Cittie, and shall w^{ch} all diligence be p'formed. Wee beseech yo' Lor^{ps} favour to the Information.

There was not one foote of ground for half a mile together by the Rivers syde in James Towne but was taken up and undertaken to be built before yo' Lor^{ps} order arrived commanding that until stores were built all men should be p'mitted to Land their goods in such places as should be for their owne conveniencye.

Wee found the undertakers generally disheartened by this Order espetially the Report of Seamen and all others who arrived this yeare concurring that now the Ports were free, and every man might Land his goods where he pleased.

The necessitye of the service did therefore inforce us to restraine some shippes to the Port this yeare, those in particular whose owners had sufficient stores in the Towne which to doe wee did therefore p'sume, in that yo' Lor^{ps} commands were not absolute, but Lymited until such tyme as stores were built, w^{ch} allready is done in number and capacitye to hold more goods by farr then were sent in this yeare.

Some of the shippes were p'mitted to go to what places they pleased, Least it might be conceived that yo' Lor^{ps} commands were not of authority or respect with us, which we humbly crave, may not be believed concerning us for we are ready in all humility, and Obedience to submit to yo' Lor^{ps} pleasures in ought that shall be required from us.

The Insolvencyes of some of the masters have bene very strange this yeare as though by a single Information at home they could p'cure a countermand to all Orders and Instructions w^{ch} wee have received from his Ma^{tie} w^{ch} they liberally suggest

and boast in all places insomuch that the authority is much slighted and contemned.

And we cannot forbear (out of our deuty to the service) to acquaint yo^r Lor^{ps} that wee doubt we are betrayed by such who designe all alteration in Government for perticular proffitt.

Wee are credably informed that divers are employed in all parts of London as spyes upon us, who invited the meanest of the Planters newly come for England into taverns and there working upon their weakness wth the advantage of Wyne, they mould them as they please, and by much importunity draine from them some matter of greivance w^{ch} is streight writt downe, the partye being thus insnared to instifye a complaint w^{thout} cause or intent. . Thus the p^{re}sent government is disabled, and by these meanes an alteration is prepared, w^{ch} wee offer to yo^r Lor^{ps} Graver consideration. Wee are required by his Ma^{ty} to endeavour by severe punishment to suppress and to be carefull that Greate Quantities of Wyne and strong waters be not sold into the hands of those that are likeliest to abuse it, but that soe nere as wee can it should be equally disposed for the reliefe of the Plantation. For the better effect whereof (and w^{thout} w^{ch} course it was impossible to establish a deu observance to this Instruction) wee did p^{ro}pound to the assembly and at Length wth greate difficulty wee obteyned for an act to passe. That noe man should buy wine or strong Liquors w^{thout} Lycense from the Governor, or one of the counsell upon penalltye in the sayd act expressed, it being further p^{ro}vided that the sayd Lycense shall not exceed six pence.

What benefit hath arisen to the colonye by this act (as may be conceived) did plainly appeare to the Last Assembly when some of the ablest Burgesses did confesse That the collonye had not bene soe neare out of debt these sixteene yeares as then it was.

But yf the shippes be p^{er}mitted to goe at pleasure and ride in every hole as is desired by them, both the Instruction itself, and the act grounded thereupon must loose their weight, and wished effect.

By all w^{ch} it may appeare to yo^r Lor^{ps} that the restraint of the shipping to James Towne, p^{re}ceeded not from an order in August last (as is suggested) but from the command of his Ma^{ty} and of

yo^r Lor^{pp} from tyme to tyme wth greate wisdome established for p^rventing of ingrossing and forestalling, Of Drunkenness and much other disorder being also the most indifferent place for its scituation in the heart and center of the country, being the residence of the Governor and the place of all publike meetings and despatches wthout w^{ch} course there must be rather a scrambling then a Trade and therefore wee humbly sue that our Information herein may be rather credited then these men who urge their particular advantage and conveniencye wthout regard had to the weale publike.

The Petitioners seeme to give six reasons against this order:

1. In regard of the want of storehouses, etc., w^{ch} wee have before answered reither shall they have any p^rtence or colour for the want of them hereafter.

2^y That the Planters do live Remote from James Towne and have noe Boates, etc.

Wee acknowledge this a miserable want by w^{ch} their Lives may be endangered and therefore have studied by all wayes to remedye it But as Long as the shippes ride by them to ffeed and supply their Riotts wth wines and strong Liquors they will be allwayes disabled to purchase Boats, or to any other good, and p^rfitable undertaking, therefore wee conceive that there is noe such course to force the Planter to furnish himself wth boating as by this order which will both necessitate, and enable him thereto, for we may justly affirme That before this order was executed halfe the commoditye of the countrey was expended in the meere superfluitie of wyne and strong waters.

3^y That victualls and entertainment at James Towne now are and by reason of this order will increase to too excessive and extreame Rates.

This order will make victualls both plentiful and cheape and incourage the Planters to breed Poultry, and hoggs, to plant Rootes and all sorts of garden p^rvisions, and to bring them dayly to a markett where from soe much resort they may be assured of rent.

4^y That the charge of bringing tobacco from the severall Plantations to James Towne are and will be very Greate yf the shippes be compelled to take in their whole freight there.

His mat^{ies} Instruction requireth us not to suffer shippes to breake bulke or unlode before arrival at James Towne, noe mention being therein of Loding at the sayd Port, neyther were they ever compelled, or restrained in that particular, therefore they unjustly complaine, and before any cause given them in that kynd.

5^{ly} That many Boats Lading of goods since the making of the sayd order passing from James Towne to the Remote Plantations have been lost.

This is merely p^rtence, for where one Boate miscarryeth at the Towne (wth is very commodious for shipping, and Boates) Ten miscarry in other places.

6^{ly} That the Planters are compelled by this order to pay six pence for a Bill of store for every parcell of goods that they buy there, be it more or lesse.

As before wee gave Information to yo^r Lor^{ps} according to an Act of Assembly there is six pence payd for every Lycense to buy Wyne or strong Liquors, but concerning payments for bills of store for other goods, it is very untrue for there was never any such compulsion (as is found) nor any fee payed or demanded in that kynd to our knowledge.

By our answeare in all. Wee hope yo^r Lor^{ps} may perceive the greate Injustice to the service occasioned by the malicious untruths of such who by all means goe about and studdy to Tradduce us and our actions though directly squared to the Rule of his ma^{ties} and yo^r Lor^{ps} commands and according to the Lawes and Orders Established at Grand Assemblies consisting of Governor counsell and Burgesses for the Severall Plantations. Which (by reason of the violent opposition to the Governor by those of the Last counsell) never received lyfe or execution untill of late.

Wee are ready at all tymes particularly to represent to yo^r Lor^{ps} the greate advancement the service hath gained by our Vigilancye and dilligence expressed herein.

Which wee the Rather take boldness humbly to move to consideration in Respect of the paucitye of our number (being but five in all wth the Governor himselfe to assist the service).

Wee beseech yo^r Lor^{ps} beliefe heerin. There is nothing wanting in our Indeavour or example to actuate those frequent commands, and Long hopes of the State in the Undertaking of sta-

ple commodities in so much that fower of our number have underwritt to sett the Plough on going this next yeare and by our inducement and p'suasion many more will and some all-readye have done the like, to w^{ch} purpose wee have at p'sent a good Quantite of seed Corne the last yeare growing in the country and this season wee hope wth Gods Blessing for a plenti-full store.

Wee are againe beginning wth silk worms for instance wee have humbly p'sented to his ma^{ty} a Quantity made this yeare in the country, w^{ch} is transmitted to Mr. Secretary Windebank.

The Noble ffavoure of yo^r Lor^{ps} in vouchsafing us these Informations whereby to clear ourselves of their unjust taxes, wee humbly acknowledge and in all submission tender our most devoted thanks for the same, the continuance whereof wee crave may be afforded us. And that yo^r Lor^{ps} would be honourably pleased to add unto us this Incouragement, that in case where any such complaints of taxes and grievances are brought to yo^r Lor^{ps} and directly charged against us, yo^r Hon^{ors} would be pleased to cause the parties to putt in caution to prove the truth of them. Otherwise to stand them by yo^r Lor^{ps} for their misinformations. By w^{ch} meanes many suspensions in the execution of the service to the greate p'judice thereof will be avoyded.

The much disparagement w^{ch} wee suffer and are every day obvious to, by injurious insinuations will be lessened and controlled and many Rumours and Tales of change and alteration in Government (ever banefull to the service of this place) will be checked and silenced.

All w^{ch} this our whole Answer wee humbly submitt to yo^r Lor^{ps} Judicious considerations in all obedience Resting.

James cittie the 18th of January 1638.

Yo^r Lor^{ps} humbly to serve you in all commands.

[Signed.]

RICH. KEMP,
WILLIAM BROCAS,

JOHN HARVEY,
HENERY BROWN.

(Indorsed.) The duplicate of the Letter to the Lords from the Governor and counsell in answer of the Petitions &c.

Virginia 18th January 1638.

CAUSES OF DISCONTENT IN VIRGINIA, 1676.

WINDER PAPERS, VIRGINIA STATE LIBRARY.

Whereas as ye Right Hon^{ble} Herbert Jeffries Esq., S^r John Berry K^t & Francis Morison, Esq., being Comissioned by our most gracious Sov^{rn} L^d ye King to take ye agrievances of us his Majesties subjects of Virginia, and hath given proclamation to yt purpose, wee ye Inhabitants of ye Upp^r p^{ts} of Citternborne par^{sh} in ye County of Rappahannocke Doe heere p^{re}s^{ent} yo^r Hon^{rs} wth our agrievances by those Gent^lmen wee have Elect^d, whose Names are subscribed, viz:

Imp^r one ye 25th of January in 1675 theire was 36 persons kill^d and taken p^{ri}son^{er} in ye Distance of about 10 miles by ye Barbarous Indyans, and imediately ye right Hon^{ble} ye Govern^r had spedy notice and it was answered theire could not be any thing don: In order to revenge ye blood of our poore Neighbours, & ye wrong don to his most sacred majesties loyial subjects, until an Assembly was to sett, wth then was about ye 11th of March, and they satte about 23 days, in fine theyr was not care taken to assist us till ye 1st of May: Wee were in these up^r p^{ts} of ye pa^{sh} of Citternborne* 71 plantations on ye 24th of January as above s^d & by ye 10th of February wee were reduced to 11; wth w^t run away into ye Heart of ye country together wth those yt felt ye fury of ye enemy. Nay Wee had ye hard Fortune wee could finde noe sparke of Xtian love from ye Countrey, but they had ye confidence to come up and take our men out of ye onely frontee^re howse, and arms to bury ye dead wth and yt don, left us to ye g^{ri}t God, and our small strength.

* Citternborne or Sittenborne parish was probably named in honor of the birth-place of Colonel John Catlett, one of the most prominent of the early settlers. There is recorded in Essex a power of attorney from his son, John Catlett, to sell the lands in the parish of Sittenborne, Kent, England, which had been the property of his father, Colonel John Catlett. Other sources of information show that the Catletts were quite a numerous family in the English parish.

2. By order from our Assembly Major Lawrence Smith,* on ye 1st day of May came up into these p^m w^h a 110 foote of Horse to our noe little satisfaction yt (theire was now balme found in Gilliard) wee had not time to surfett ourselves but in discourse wee found yt Major Smith had noe comission, but against ye Susquehanoths, though we had a man killed w^hin less then a mile of ye Nansatico Towne during ye cessions of ye Assembly.

How somever Major Smith like a most Loyal subject to his Prince by his constant rainingg did well defend these p^m: In July Major Thomas Hawkings† had a comission g^ted for ye des-

* For an account of Major Laurence Smith, of Gloucester county, and his descendants, see *William and Mary Quarterly*. At the session of 1679 the Assembly granted him a tract of land on the Rappahannock, five and one half miles in length along the river, and four miles wide, provided he seated at the place on the Rappahannock, where the fort was built in the year 1676, fifty able armed men, and two hundred other men. He was to be commander of the armed force and to have legal jurisdiction. He owned large tracts of land in Essex county, and in the records of that county are a number of deeds in regard to it. Of the children of Laurence Smith, Elizabeth married John Battaile, Sarah married John Taliaferro; his son, Charles, lived in Essex, and was appointed the county surveyor in 1706; son, Augustine, married Susanna —, lived in Essex, and was appointed surveyor in 1710, and sons, John and William, lived in Gloucester, and Laurence in York.

† Major Thomas Hawkins was an early settler in Rappahannock county [now Essex]. There is on record a deed dated May 4th, 1659, from him and his wife Mary. He received the following grants of land: (1) 2,500 acres in Northumberland county, on Potomac, February 26th, 1653; (2) 620 acres on the south side of Rappahannock, November 20th, 1657; (3) 2,611 acres on the south side of Rappahannock, October 6th, 1675 (1,676 acres of this formerly belonged to Mr. Thomas Lucas, Sr., and Mr. Thomas Lucas, Jr., on which they both lived and died; and 934 acres lately belonging to Mr. Thomas Lucas, Jr., who left no heir, and did not dispose of said land). His first wife, Mary, was either a daughter of Thomas Lucas, Sr., or of Captain John Upton, whose widow, Margaret, married Thomas Lucas, Jr. The latter, in his will, proved in Rappahannock county, 1673, names his son-in-law, Captain Thomas Hawkins, and his grandchild, Mary Hawkins. The will of Captain Thomas Hawkins, dated February 8th, 1675, was proved in Rappahannock county November 20th, 1677. Legacy to his now wife, Frances—certain property to be divided between his children (whom he does not name)—former wife's

troying our Neighbouring Indians as well as the Susquehanaths (yit our Neighbouring Indiyans left theire townes wth in 4 days after ye first murther was comitt'd) soe yt Major Smith went downe wth 50 horse & foote to congratulate ye good news, together wth an Intention to suppress ye Insolences comitted, several Howses burn'd, People kill'd & wound'd in Puscataway on ye 10th July ye worshipfull Major Hawkings, & Major Smith were by Nathaniel Bacon, Junior, carried away Prisoners. Now our faire day begins to be obnubulat'd, and our enemies rejoyce wth Trophies in Order thereunto—they have burn'd in these up^r p^a 37 howses wth to be repair'd would cost above 1200[£] Sterl: besides ye dayly effusion of our Bretherens Blood; thus our Enimies reigned till at yast yt Fire Brand, wth with our Good Major yt had by God's assistance soe well defend'd us sent to our assistance one Capt. Simon Miller a Liver amongst us, & Scince his time wee have had noe men kill'd nor g^r damage in our stocks though scince this war begun, wee have lost above 600[£] Sterl: Now scince by an Evil hand wee his Majesties always, leige people have in a maner had our lives defended by ye s^d Miller. In gratitude wee desire he may be look'd upon wth an eye of favour.

3. Now scince those darke clouds are by ye Heavens dissipated & wee of all men ye most Miserable have an opertunitie or rather a liberty to behold our sweet Prince, how frely he calls us & is most willing to Heare us, therefore wth confidence wee are bold to declare yt here hath in 74: & 75 bin levied upon each tithyable 52^{lb} of Tobacco wth wee desire an ac^{em} off.

4. It hath also bin costumary yt ye Consillors of this countrey have 10 levies free, & ye minister six, soe yt ye Tax lies Heavy, wee desire it may be redress'd, together wth ye Qt. R^{ms} yt were payde in Potomacke necke in 74: & 75.

5. Whereas ye g^r impost of 2s p^{hd} of tobacco under ye p^tence of being payde by ye Merc^{ant} but payde by us ye Inhabitants of this country, wee desire it may be taken off, or convert'd to ye countreys use.

diamond ring and pearl necklace to daughter, Elizabeth—legacy to daughter, Hannah—to brother, [Samuel] Bloomfield, a mourning ring, his sword belt and pistols.

6. Whereas wee have from time to time payde severall g^t Quantities of Tobacco for ye building of ye fortes in ye mouths of ye River & providing a magazine of Armes & munition and upon all occasions, are forc'd to provide again, soe wee have noe benefit of ye former wee desire an ac^t may be given theireof.

Whereas yearly there is a considerable sune of Money payde to ye countrey for Castle Duties & it lies in Perticular mens hands wee desire a just ac^t of it, and yt it may be converted to ye countrey use, to alleviate ye grt Tax w^{ch} Inevitably wil fall upon us.

8. Whereas there is a penny impost upon all tobacco ship'd into any of his majesties plantations, to ye Injury of this his countrey and almost ye ruine of many of his Majesties subjects in ye yeare 74: wee had perish'd but for ye New England supply of corn and yt very bare by reason they could not have tobacco, it was several hundreds of pounds damage to us, Besides other necessities wee are at a cheaper rate Suppli'd wth from New England, w^{ch} this debar's wee desire it may be taken in to consideration.

9. Whereas there is yearly many Tethyables not given in & for ye pr'venting of ye future defrauding of us his Majesties subjects wee desire yt all men give in a list upon there Oaths and if any man shall conceale a Tethyable of w^t sort soe ever, yt he forfeit ye same to be solde at an out crie for ye counties use.

10. Wee humbly desire yt those Gent'men w^{ch} sett in his majesties Courts of Judicature heere may not at once be of ye Militia.

11. Whereas our Right Hon^{ble} ye Gover^{or} hath out of his tend' caire apoint'd several comandars to pr'ceed against our Enemies. Wee are now in a most deplorable condition being assur'd yt ye maine camp of the Nansatico Indyans is now wthin 20 miles of Lt. Coll. Cadwallader Jones' House, wee humbly beg yo' Hon^{rs} to comiserate our hard lives and fortunes & let us not now miscarry in ye sight of a faire Haven.

12. The Danger wee are now in make us looke Backe into the wont'd proceedings of this country; when first ye murther was comitt'd wee were forc'd to send away and before any pretended redress came our Enemies fled and could not be found,

except upon a disadvantage. It is now ye same & far otherwise for now our Enemies courage is more disperate, wee have noe men heere in armes to assault ye Enemy, and by yt time men can be sent a 100 miles to us, our Enimie is gone. Therefore wee humbly desire for ye future pr'venting this great miscarriage (yt hath in a manner ruin'd this country) that theire may be one chiefe comander apointed in the fronteer counties; as ye right Hon^{ble} y^r Governor shall thinke fit to be comission'd to raise armes imediately to take and apprehend all Such murtherers upon all such occasions.

13. Forasmuch as wee are in formed yt his Most Sacred Majestie hath sent in armes into this countrey for a Magazine wee humbly supplicate that theire may be a proportionable part theire of sent to us being in the most likelihood of using them, but now have our hearts full off ejaculations for yo' Hon^{rs} healths and prosperities, and our hands full in defence of our Kings countrey, and that we may well doe it. Lett there be ascrib'd all Hon^{rs} and Glory to whome its due.

14. Lt. Henry Chicheley,* Lt. Gen^l Phillip Ludwell, Esq.

*Sir Henry Chicheley, son of Sir Henry Chicheley, of Wimpole, county of Cambridge, England, served in the Royal army during the civil war, and came to Virginia in 1649. It appears from the "State Trials" that while at Gravesend, probably about to sail for Virginia, he was arrested for complicity in the Royalist plot headed by Sir ———, as being "found casually in the same inn" with that person, but he was soon released. Norwood in his "Voyage" reports that on arriving in Virginia he found Chicheley, Moryson, Lunsford and Honeywood, formerly cavalier officers, who had lately arrived, living at the house of Captain Wormeley, on York river. He was Burgess for Lancaster 1656 (*Hening*); appointed to the Council in 1670 (*Robinson's Notes*); commanded against the Indians in 1675; was commissioned Deputy Governor February 28th, 1673-4 (*Hening* II, vii), and was acting Governor from December, 1678, to May 16th, 1680 (*Ibid*), and was Deputy Governor during the frequent absences of Lord Culpeper. There is recorded in Rappahannock county a power of attorney dated 1662, from Sir Henry Chicheley, of "Wimple in the county of Cambridge;" in the English Public Record Office a letter, dated June 15th, 1682, from Lieutenant-Governor Sir Henry Chicheley, at James City, in Virginia, to his "brother," Sir Thomas Chicheley, member of the English Privy Council and Master-General of the Ordnance. Sir Henry Chicheley married Agatha (Eltonhead), widow of Ralph Wormeley, of "Rosegill," Mid-

and Matthew Kemp,* Esq., did upon ye 14th of February: 76:

dlesex county, Virginia, and died February 5th, 1682 (*Sainsbury Abstracts*).

* Edmond¹ Kemp, who is believed to have been a grandson of Robert Kemp, Esq., of Gissing, Norfolk, England, and a nephew of Sir Robert Kemp, Baronet, is shown by the will of Richard Kemp, Secretary of Virginia, to have been nephew of the latter. "Mr. Edmond Kempe" was justice of Lancaster 1655-57. There is on record in Lancaster a bond dated August 13th, 1658, from Edmond Kempe, of Pianketank, in Lancaster [Middlesex], Gent., to Isaac Foxcroft, of London, merchant, for £100, to be repaid within a year at the house of Mr. Thomas Griffith, St. Nicholas Lane, London. A petition, July 14th, 1656, is recorded in Lancaster county, from Mr. Edmond Kempe, attorney of Sir Robert Kempe, Knight, against one William Fisshe. In 1660 Lancaster county court ordered that the estate of Edmond Kempe, deceased, be appraised. He patented 900 acres on the north side of Rappahannock in 1653, he, himself, being a head-right, and also Edward Kemp, and 1,100 acres in Pianketank in 1656. His widow married Sir Grey Skipwith, Baronet, of Lancaster, [Middlesex] county. On Sept. 12th, 1660, Lancaster court allowed Sir Gray Skipwith 150 lbs. tobacco for a gun lost in the Accomac expedition, which gun "belonged to his late predecessor Edward Kempe, Gent., deceased." Edward Kempe had at least one son, Matthew² Kemp, who received a regrant of the land in Pianketank, and it is stated in the patent that it had been formerly granted to his father Edmund Kemp. There were also other children, as there is on record in Lancaster a deed, July 10th, 1661, from Sir Grey Skipwith, conveying 900 acres in New Kent, on the north side of Mattapony, to his "daughter-in-law," Elizabeth Kempe; Matthew Kempe a witness. There is in Lancaster a deed, September 2d, 1663, from Matthew Kemp and Dorothy, his wife. There is a deed dated 1677 from Matthew Kemp, of Lancaster, Gent., conveying land formerly bought by said Kemp and Adjutant-General Jenings. Matthew Kempe was a justice of Lancaster 1659, and sheriff the same year. November 15th, 1660, a certificate of Lancaster court to Matthew Kemp of the importation of certain head-rights, among which were himself twice and his wife, Dorothy. On September 10th, 1662, Matthew Kemp, attorney for Sir Gray Skipwith, Baronet, the administrator of Edmond Kemp, Gent., confessed judgment on a bond; accompanying this is recorded a note from Skipwith to Kemp, beginning "Cozen Matt.," and concluding "mine and my wife's service to yourself and Lady." In 1663 Matthew Kemp was granted administration on the estate of James Bonner, as being the next of kin. Later he removed to Gloucester county, and represented it in the House of Burgesses, being Speaker 1678-9 (*Hening*). In 1681, while still a Burgess, he was

Issue out a warrant to comande ye weake plantations to Draw

appointed to the Council. He was county lieutenant, and commanded the militia of the county during the tobacco-cutting riots. He died in 1683. His will was probably recorded in Gloucester and has been destroyed. Colonel Matthew² and Dorothy Kemp had issue: I. *Matthew*,³ of Middlesex (the person named in the text). There is a deed recorded in Middlesex, and dated 1687, from Matthew Kemp, of Middlesex, confirming to John Mann, son of John Mann, 450 acres sold to him by Matthew Kemp, Esq., of Kingston parish, Gloucester, deceased, said land having been patented by Mr. Edmond Kemp, deceased, Oct. 19th, 1653, and escheated on the death of Elizabeth Bonner, his daughter. There is also a deed from him in 1695, conveying to James Pate 60 acres, part of land where said Kemp lived at the mouth of Bland's creek. He was a Burgess for Middlesex 1685 and 1692 (*Journal*), justice from 1698, and sheriff, 1706. His will was dated May 4th, 1715, and proved in Middlesex January 2d, 1716; to be buried at the burial-place in the old orchard where his relations lay; to his son Matthew⁴ Kemp all his lands, negroes, goods and chattels, provided he paid £200 sterling to "my dafter Ann Kemp" when she was 21 years of age. If son Matthew died without issue all estate to Ann, and if she died without issue then to Grey Skipwith, son of Sir William Skipwith. "My son to follow the advice of my father Sir William Skipwith, and my friend Major Edmund Berkeley," whom he appoints executors. He probably married a daughter of Sir William Skipwith. II. Thomas,⁵ of Gloucester county. There is recorded in Lancaster county a deed of gift dated August 13th, 1687, from Thomas Kemp, of Gloucester county, Gent., son of Matthew Kemp, Esq., late of Gloucester, deceased, to John Mott, of Lancaster, planter, for a tract of land formerly purchased by the said Matthew Kemp, Esq., and Adjutant-General Jenings. [Adjutant-General Peter Jenings was the first husband of Catherine Lunsford, whose mother, Dame Elizabeth Lunsford, had been the widow of Secretary Richard Kemp.] Mary, wife of Thomas Kemp, of Kingston parish, Gloucester, gave a power of attorney July 9th, 1692, to her "loving friend Mr. Peter Kemp." In another power about the same time, she signs "Mary Curtis," doubtless her maiden name. Thomas Kemp was a justice of Gloucester 1695. III. (Probably) Peter,⁶ of Gloucester, who patented land in that county in 1687; IV. (Probably) Richard,⁷ who was sheriff of Middlesex 1710.

Matthew⁴ Kemp, of Middlesex, born 1695, died December, 1739, was justice and Burgess from Middlesex, and afterwards clerk of James City county (*Virginia Gazette*). He was Burgess for Middlesex 1723 and 1730, and sheriff 1729.

Owing to the destruction of the records of Gloucester county it is very difficult to trace the more numerous branch of the family which resided

together yt theire might be ten men in one howse and then having noe assistance did att once give ye Indyans both oportunities and encouragement to Comitt ye many Outrages above mentioned.

God save the King.

(Signed)

CADWALLADER JONES,
JOHN BODSIE.

The Freshes of Rappahannocke,
March ye 8th, 1674.

[Indorsed]

Cetternborn Parish Grievances.

VIRGINIA QUIT-RENTS, 1663-1665.

The following entries from the letter-book of the first William Byrd, now in the possession of the Virginia Historical Society, are interesting as showing the amount which each county, in the years 1663-1665, was expected to pay in the form of quit-rents, as well as the area of the counties at that time. The requirement was one shilling for every fifty acres. This sum was collected in tobacco throughout the seventeenth century, in spite of occasional efforts on the part of the English government to enforce its payment in coin:

Anno 1663.

The Rt. Hon^{ble} S^r Wm. Berkeley Debtor to his Ma^{ties} Treasurer
for ye quitt rents of James Citty & Surrey Counties vizt:

To ye quitt rents of James Citty County being 65786 acres at
12 per ct. 7890 lbs. Tobo.

To ye quitt rents of Surry County being 41503 acres at 12
4998 lbs. Tobo.

there. It is much desired that the account of this family may be made as complete as possible. Additions will be welcomed. It may be of interest to state, that investigations are now being made in England with a view to ascertaining the ancestry of Edmond^d Kemp.

Anno 1664.

To ye quitt rents of James Citty county being 74852 acres at 12 p. ct. 8982 lbs. Tobo.

To ye quitt rents of Surrey county being 42867 acres at 12 p. ct. 5144 lbs. Tobo.

Anno 1665.

To ye quitt rents of James Citty county being 77325 acres at 12 p. ct. 9279 lbs. Tobo.

To ye quitt rents of Surrey County being 42852 acres at 12 p. ct. 5144 lbs. Tobo. .

Anno 1663.

Coll^o Miles Carey Debtor:

To ye quitt rents of Wawick County being 27706 acres at 12 p. ct. 3324 lbs. Tobo.

To ye quitt rents of Elizabeth Citty County being 19597 at 12 235 lbs. Tobo.

To 2 years arrears in deted County 470 lbs. Tobo.

To arrears more for 900, 216 lbs. Tobo.

Anno 1664.

To quitt rents of Elizabeth Citty County for 25997 acres at 12 3118 lbs. Tobo.

To quitt rents of Warwick County for 24460 acres at 12 p. ct. 2928 lbs Tobo.

Anno 1665.

To quitt rents of 25997 acres in Elizabeth Citty at 12 p. ct. 3118 lbs. Tobo.

To quitt rents of 24406 acres in Warwick County at 12 p. ct. 2928 lbs. Tobo.

Anno 1663.

Collo. Thomas Stegs and Mr. Henry Randolph Debtors:

To ye quitt rents of 32583 acres in Henrico County at 12 p. ct. 3909 lbs. tobo.

To ye quitt Rents of 68719 acres in Charles Citty County at 12 p. ct. 8246 lbs. tobo.

Anno 1664.

To ye quit rents of 32583 acres in Henrico County at 12 p. ct. 3909 lbs. tobo.

To ye quitt rents of 68719 acres in Charles City County at 12 p. ct. 8246 lbs. tobo.

Anno 1665.

To ye quitt rents of 32583 acres in Henrico County at 12 p. ct. 3909 lbs. tobo.

To ye quitt rents of 68719 acres in Charles City County at 12 p. ct. 8246 lbs. tobo.

Anno 1663.

Major Gen'll Bennett Debtor:

To ye quitt Rents of 55384 acres in Nansemond County at 12 p. ct. 6645 lbs. tobo.

Anno 1664.

To ye quitt Rents of 55384 acres in Nansemond County at 12 p. ct. 6645 lbs. tobo.

Anno 1665.

To ye quitt Rents of 75000 acres in Nansemond County at 12 p. ct. 9000 lbs. tobo.

Anno 1663.

To ye quitt Rents of 66500 acres in Lower Norfolk at 12 p. ct. 7980 lbs. tobo.

Anno 1664.

To quitt Rents of 66500 acres in Lower Norfolk at 12 p. ct. 7980 lbs. tobo.

Anno 1665.

To quitt Rents of 68836 acres in Lower Norfolk at 12 p. ct. 8260 lbs. tobo.

Anno 1663.

Mr. Nathaniel Bacon debtor:

To ye quitt Rents of 47500 acres of Land in Isle of Wight county at 12 p. ct. 5700 lbs. tobo.

To ye quitt Rents of 59500 acres in York at 12 p. ct. 7140 lb. tobo.

To ye quitt Rents of 30190 acres on ye south side of New Kent County at 12 p. ct. 3623 lbs. tobo.

Anno 1664.

To ye quitt Rents of 47500 acres in Isle of Wight County at 12 p. ct. 5700 lbs. tobo.

To ye quitt of 59500 acres in Yorke county at 12 p. ct. 7140 lbs. tobo.

To ye quitt Rent of 35075 acres on ye south side of New Kent 4208 lbs. tobo.

Anno 1665.

To ye quitt Rents of 52100 acres in Isle of Wight County 6252 lbs. tobo.

To ye quitt Rents of 59500 acres in Yorke county at 12 p. ct. 7140 lbs. tobo.

To ye quitt Rents of 5167 acres on ye South Side of New Kent 6200 lbs. tobo.

Anno 1663.

Captain Peter Jennings and Mr. Matt. Kemp Debtor:

To ye quitt Rents of 63156 acres in Lancaster county at 12 p. ct. 7622 lbs. tobo.

To ye quitt Rents of 84477 acres in Glouc' county at 12 p. ct. 10136 lbs. tobo.

To ye quitt Rents of 13333 acres in ye North Side of New Kent 1600 lbs. tobo.

Anno 1664.

To ye quitt Rents of 63156 acres in Lancaster Co. at 12 p. ct. 7622 lbs. tobo.

To ye quitt Rents of 84477 acres in Gloucester County at 12 p. ct 10136 lbs. tobo.

To ye qtt. Rents of 150000 acres on ye North Side New Kent 1800 lbs. tobo.

Anno 1665.

To ye quitt rents of 63156 acres in Lancaster County at 12 p. ct. 7622 lbs. tobo.

To ye quitt Rents of 84477 acres in Yorke County at 12 p. ct. 10136 lbs. tobo.

To ye quitt Rents of 39175 acres on ye No. Side of New Kent 4700 lbs. tobo.

Anno 1663.

To ye quitt Rents of 44050 acres in Westmoreland County at 12 p. ct. 5286 lbs. tobo.

To ye qtt. Rents of 34777 ac^r in Stafford County at 12 p. ct. 4173 lbs. tobo.

Anno 1664.

To ye quitt Rents of 44050 acres in Westmoreland County at 12 p. ct. 5286 lbs. tobo.

To ye quitt Rents of 34777 acres Land in Stafford County 12 p. ct. 4173 lbs. tobo.

Anno 1665.

To ye Quitt Rents of 44050 ac^r in Westmoreland County at 12 p. ct. 5286 lbs. tobo.

To ye Quitt Rents of 34777 acres in Stafford County at 12 p. ct. 4173 lbs. tobo.

Anno 1663.

Colnell Com^o Scarburgh, dr:

To ye Quitt Rents of 53313 acres in Accomack at 12 p. ct. 6396 lbs. tobo.

To ye Quitt Rents of 25728 acres in Northampton at 12 p. ct. 3087 lbs. tobo.

Anno 1664 and 1665.

To ye quitt Rents of 62328 acres in Accomack at 12 p. ct. 7479 lbs. tobo.

To ditto of 54590 acres in Northampton at 12 p. ct. 6550 lbs. tobo.

Anno 1663.

Mr. John Lee Debtor:

To ye quitt Rents of 37693 acres in Northumberland County at 12 p. ct. 4523 lbs. tobo.

To ditto more 5589 acres 0678 lbs. tobo.

Anno 1664.

To quitt Rents of 37693 acres in Northumberland County at
12 p. ct. 4523 lbs tobo.

To ditto of 5589 acres more 0678 lbs. tobo.

Anno 1665.

To quitt rents of 37693 acres in Northumberland County at 12
p. ct. 4523 lbs. tobo.

To ditto of 5589 acres more 0678 lbs. tobo.

Major Robert Beverley and His Descendants.

By W. G. STANARD.

(CONTINUED.)

The will of Major Robert Beverley, the original of which is on file at Middlesex Court-House, is as follows:

In the name of God, Amen.

I Robert Beverley of Mid'x Countie in Virg'na, being in Sound and perfect health, minde and memorie (praise be given to Allmighty God) yett considering the frailty of Man's life, Doe make this my last will and testament in Manner and form following, this present six and twentyeth day of August, 1686.

And first I bequeath my soule to God who gave it and my body to be buried in a decent maner at the direction of my executrix.

Item. My Will is that all my debts and dues be in convenient time paid after my decease.

Item. I give and bequeath unto my eldest sonne Peter Beverley and to his heirs for ever all that my land in Gloster Countie lying upon Pianketank River, betwix the Creek called Chiescake Creek, and Hoccadey's (alias Baysey's) Creek and adjoining to and included in a Patent, with Five hundred acres formerly by me sold and passed away to Mr. John Mann of Gloster countie by deed under my hand and seale. But in case my sonne Peter shall happen to dye without heirs of his body by him lawfully begotten, then my will is that my said land above mentioned

shall descend and goe and I give and bequeath the same to my second sonne Robert Beverley and to his heirs forever.

Item. I give to my second sonne Robert Beverley and to his heirs forever, All that my plantation and devident of land on Poropotank Creek in Gloster Countie containing nine hundred and twenty acres be the same more or less.

Item. I give unto my third sonne Harry Beverley and to his heirs forever, All that my Plantation and Devident of land situate in Rappahannock countie upon Gilson's Runne on which I have now a quarter situated and on which formerly Ralph Bodis was seated by me, containing by estimation according to the Patent thereof Sixteen hundred acres be the same more or less.

Item. I give unto my sonne John Beverley and to his heirs forever three thousand acres of land part of the Devident of land situate in Rappahannock Countie on both sydes a great runne and commonly called and known by the name of Beverley Parke and adjoining on the one part thereof to Buttons Rainge. The Said three thousand acres to be contiguous and in a square or long square or neer that figure and to be by him made choice of at the age of twenty-one years out of the whole tract, or within three years after my decease at his pleasure and the lines and bounds thereof * * * to suit his Choyce (for ascertaining the same) to be put upon the records of Rap'a Countie, New Kent Countie or in the Master secretaries office.

Item. I give unto my sonne William Beverley and to his heirs forever all that my two plantations and devidents of land in Mid'x Countie, situate on or near the Rappahannock River, betwix the lands and plantations of Maj. Gen'll Robert Smith and Coll. Christopher Wormley comonly called Griffin's Neck being all the lands purchased by me of Mr. Tho. Evans.

Item. I give unto my sonne Thomas Beverley three thousand acres of land part of the devident of land situate in Rapa. Countie and New Kent Countie on both Sydes a great runne and comonly called and known by the name of Beverley Parke, and adjoining on one part thereof to Button's Rainge, to him and his heirs forever. The said land to be laid out of the whole tract contiguous and in a long square or four square or as near such figure as the same may most conveniently be done and in such place & part of the said devident, next after his brother John Beverley's Choyce as he my said sonne Thomas shall desire to have the same land out, soe soon as he shall attaine to the age of twenty-one years, or immediately after his brother John's shall be ascertained by his first Choyce of his three thousand acres hereby this my will given to him.

Item. I give to my dear and loveing wife Catherine, for and during her Naturall life and in lieu of her full right of dower in and to my lands,

all that my Plantation and devident of land in Middlesex countie whereon I now live, situate on Rappahannock River, and purchased by me from Mr. Richard Parrott, Junior. Also one other Plantation and devident of land in Middlesex Countie situate on Pianketank River, and whereon I late lived, and now helled and knowed [*sic* in copy] by the name of Old Plantation, containing one hundred and sixty five acres according to the Patent thereof. Also all that my one halfe part of the one hundred acres of land and Plantation in Gloster Countie, for the whole if I happen to purchase the same before my death, comonly called and knowed by the name of North River quarter, and now held in partnership betwix my brother Col. John Armistead and myself, alwaies provided shee my said wife doth accept the same as in full of all her right of dower to all other my lands whatsoever. And after my said wife's decease I give and bequeath the said three Plantations and lands belonging to them to my daughter Catherine Beverley and to the heirs of her body lawfully begotten, and in case of her dyeing without issue of her body lawfully begotten, or for failure of such issue, then to my sonne Robert Beverley and to his heirs forever.

Item. I give unto the Childe that my wife goeth with, be it male or female, and to its heirs forever all other my lands and Plantations not allready by this my will given and bequeathed, and for want of such childe or heir of its body lawfully begotten, that then and in such case I give all other my lands not in this my last will by me expressly given and named, unto my oldest sonne Peter Beverley and unto his heirs Male of his body lawfully begotten, and for want of such heirs Male of his body, then to my sonne Robert Beverley and to his heirs Male of his body lawfully begotten, and for want of such heirs Male of his body lawfully begotten, then to my sonne William Beverley and to his heirs forever.

Item. I give to my daughter Mary Beverley one hundred and fifty pounds sterling money to be paid to her within one year after her day of marriage or at the age of one and twenty years which shall first happen.

Item. I give unto my daughter Catherine Beverley two hundred pounds sterling to be paid to her within one year after her day of marriage or at her age of twenty-one years which shall first happen.

Item. My will is and I doe hereby order and lend unto my dear and loving wife Catherine Beverley for and during her whole life-time all the household goods I shall dye possessed of at my dwelling Plantation, to say, all my Linen, Woollen, bedding, plate, pewter, brass, Ironware, Cubbard, tables, chayres, stools, bedds or bedsteads with all other sort of household goods, household stuffe, working tools within doors & without, ploughs, Carts, Cartwheels, plough gheare or Cart gheare or horse harness and all other household Stuffe & Lumber whatsoever belonging to the house, barne, dary, Store & Plantation wherever and wherein I

now live and which shall be in dayly use and occupation for and towards the same at the time of my death. All which my will is shall be shortly after my death duly & apart from my other personall estate Inventoried & appraised and wholly left in the possession, use & occupation of my said wife for and during her whole naturall life free and without being charged for the use thereof. And after her decease I give all and every part thereof unto my two daughters Mary & Catherine or the survivor of them to be divided into thirds, to say, one third part thereof to my daughter Mary & two thirds part thereof to my daughter Catherine.

Item. My will is that all other my personall estate whatsoever, whether in Middlesex Countie, Glo'tr Countie, Rapa. Countie or elsewhere in Virginia of what nature, and kinde soever, whether Slaves, Servants, Cattle, horses, sheep, merchandizing goods, debts or dues or whatsoever else may happen to be or belong to me at the time of my death in what part of the world soever and can or may be accounted part of my personall estate, that the same and every part thereof be, with all possible convenience, duly inventoried and valued and appraised by two or three such good men as shall be nominated and appointed by Middlesex County Court to appraise the same upon their oaths, out of which goods, chattels, cattle &c. my will is my just debts, my funerall expenses & legacies here in this my will given be first paid and satisfied; and the remainder thereof my will is that the same be divided and disposed in equall part & portion betwix my wife and children, either in Specificall kinde or in money Ste'lg, according to their valuation, at the Choyce & election of my executor or executors hereinafter named within one year after the probate of this my last Will, or eighteen months after my death, which shall first happen.

Item. My will is and I doe hereby appoint my deare and loving wife Catherine, my full and sole executrix of this my last will and testament soe long as she shall remain a Widdow, without giving any securities for such executorship, but whenever she shall happen to marry or shall remove from Virginia, then my will is that in case she shall not before her removeing herself from Virginia (on any pretense whatsoever) or before her being married give good bond with two at least good & able securities to be bound jointly and severally in two thousand pounds sterling, at the least to the County Court of Mid'x on behalf of my Children & Legatees in this my will for ye due executing and performing of this my last will according to the true intent, meaning and purport thereof. That immediately after such departure out of the Countrie or such marriage without having first given such securities as aforesaid, this executorship hereby given her by this my will shall and doth immediately from that time forever thereafter cease and determine. And my farther will is that from & after ye said time or times of my wife's departure out of this countree or day of marriage which shall first happen, without having given such bond & securities as aforesaid, That my three sonnes Peter,

Robert, and William Beverley, and the survivors or survivor of them shall and I doe hereby nominate and make them joint Executors of this my last will and testament.

In testimonie whereof I have hereunto subscribed my name and put to my seale. And doe declare this to be my last will and testament which is contained and written on one sheet of paper on both sydes with my owne hand writing close written, with the addition only of those six lines in the second sheet contained. Hereby also utterly revoking and making void all other wills and testaments by me at any time heretofore made. In presence of these severall witnesses by me called and desired to subscribe their names as witnesses.

ROBERT BEVERLEY. [Seal].

Sealed, delivered and published in the presence of us:

RALPH WORMELEY.
ROBERT SMITH.
WM. KITTO.
WALTER KEOBLE.
THOMAS BALLARD.

Md. That at a Courte held for ye County of Middlesex ye 4th of April, 1687, Ralph Wormeley, Esqr; Mr. Robert Smith, Walter Keoble, & Thomas Ballard made oathe they see Maj'r Robert Beverley signe, seal & publish ye above written as his last will & testament, and that he was then in perfect health, strength, and memory.

Recorded

CHR. ROBINSON, Clk.

A true copy [1892.]

Test

[Signed] B. B. CHOWNING, Clerk,
Middlesex County Court.

The original will, for the copy of which here used, the Society is indebted to the kindness of Mr. Chowning, bears a well preserved impression in red wax, of an armorial seal—quarterly, in the first quarter a rose. This may be identical with a coat ascribed to Beverley in English heraldic works: "*Quarterly ar. and gu. a rose countercharged, barbed vert.*"

William Beverley, of "Blandfield," grandson of Major Robert Beverley, writing in 1739 to his London merchant, says that he sends him a seal of considerable value, which he wishes recut (if the cost is not too great). It was made in 1723, but had the wrong arms engraved on it;

"ye arms my father [Robt. Beverley, Jr.] used are a Red Rose seeded and barbed in a field Ermine w'th an unicorns head for ye Crest, and not the three bulls heads" (*William and Mary Quarterly*, III, 234). At York Courthouse is a package of clerk's bonds, which doubtless came originally from the Nelson house, and one of these, the bond of William Beverley as clerk of Essex about 1736, bears a red wax seal with a perfectly preserved impression of the seal here spoken of, bearing the arms: *Ar. a chevron sa. on a chief of the second three bulls heads cabossed of the first*. It is probable that the proper arms were never cut, as Burke in the "Landed Gentry" says that the descendants of William Beverley, who removed from "Blandfield" to England not long before the Revolution, bore the arms last described. A recent work on book-plates states that there are in existence armored book-plates of William, Robert and Harry Beverley. It is hoped that a description of the arms on these plates may be sent to the editor of this Magazine.

When the floor of the lower church of Christ Church parish, Middlesex, was renewed a few years ago, the tomb of the first wife of Major Robert Beverley was discovered. It bore the following inscription:

Here lyeth interred the Bodi of
Mrs. Mary Beverly, wife of
Major Robert Beverly
Mother of nine sons & three daughters
Who departed this Life the 1st Day of
June 1678 aged fortie one yeares & three
Months, having been married to him
12 years & 2 months—and was
A careful Mother teaching Vertuous Life
Happy and making happy when a wife
Religious to Example, may all strive
To imitate her vertues whilst alive.

(TO BE CONTINUED.)

ABSTRACTS OF VIRGINIA LAND PATENTS.

PREPARED BY W. G. STANARD.

(175) DANIEL CUGLEY [1], 400 acres in Accomack county, commonly called "the hog pen necke," due for the transportation of 8 persons (whose names appear below). By West, June 25th, 1635.

Pascall Crocker, Peter Varlow, Thos. Dyer, Georg Luckin, Thos. Peake, John Champion, Leonard Leonarde, John Dennis.

NOTE.

[1] Daniel Cugley married Hannah, widow of Ensign Thomas Savage. In 1630 he was sentenced to be pilloried for "scandalous speeches" against the Governor, but was pardoned.

(176) JOHN ARVINE, 400 acres in the county of Warrosquoiacke, on a creek on the south side of the Nansemond River, about three miles up the creek, and lying over against the land of Rich'd Bennett. Due 50 acres for his personal adventure, 50 for his wife Marie, 50 for his son William, and 250 for the transportation of five persons (whose names appear below). By West, June 6th, 1635.

James Smith, Thomas Webb, John Morgan, Thomas Williams, Rich'd Davis.

(177) RICHARD BENNETT [1], 2,000 acres on Nansemond River (adjoining the land granted to George Fawdon [2],) said land being a neck, having on the one side the river and on the other side a creek, beginning three miles up the said creek. Due for the importation of forty persons (whose names appear below). Granted by West, June 26th, 1635.

John Francis, Ann Atwood, Alexander Gaines, John Lane, Elizabeth Hasley, Georg Locke, Ric'd Bird, Jon. Peeters, Tho. Williams, Gilbert Lee, Tho. Jones, Ambr. Bennett, Rich'd Culleembire, Tho. Lukes, Robt. Moore, Henry Rancklin, Richard Morris, Augt. neger, Ralph Hewes, Tho. killed with a tree, Rich'd Glascock, Edward Yorke, Wm. Quilmead, Peter Bagley, Robt. Rawson, Peter White, Wm. Fowler, Wm. Limpson, Wm. Durand, Ralph Cowpeere, Arthur Wood, Hen. Johnson, Grace his wife, James Smith, Mary Harding, Arthur Martin, George Bussey, Richard Bennett.

NOTES.

[1] Richard Bennett was the nephew of a wealthy London merchant, who resided for a time at Delft, Holland, as Deputy-Governor of the

English merchants there, and was largely engaged in the Virginia trade. Edward Bennett became an active member of the Virginia Company, and on November 21st, 1621, that body granted a patent to Edward, Richard and Robert Bennett, Thomas Eyres, and Thomas and Richard Wiseman, who undertook to settle 200 persons in the colony. Many of the settlers on their plantation were killed by the Indians in 1622, and affairs not progressing well, Richard Bennett came over to take charge in person (*Stith's History of Virginia*, and *Proceedings of Virginia Company*). He was a member of the House of Burgesses, 1629, and February, 1631, and commissioner (J. P.) for Warrosquoiacke, 1631, and member of the Council, 1642-1649 (*Hening*). In the latter year he removed to Maryland, together with other non-conformists. In 1642, he and others had sent his brother, Philip Bennett, to Boston, to secure a minister for those of his religious belief in Nansemond county (where various forms of dissent seem to have prevailed more than in any other portion of the colony). He did not remain long in Maryland, and in September, 1651, was appointed by Parliament one of the commissioners to reduce Virginia and Maryland (*Hening*). It appears from the "*Sainsbury Abstracts*," in the Virginia State Library, that he was given sealed personal instructions, not to be opened until Virginia was reduced. When this object was accomplished, he was chosen by the Assembly Governor of the Colony, April 30th, 1652, and held the office until March, 1655, when he was sent to England, as agent for Virginia. His administration appears to have been just and acceptable even to the loyalists. In April, 1658, he was again a member of the Council (*Hening*), and continued a member of that body until his death (*Hening*, and *Sainsbury Abstracts*). In 1666, he was one of the three major-generals of militia, and Thomas Ludwell, writing (*Sainsbury Abstracts*) that year to Bennett, Lord Arlington, states that Major-General Bennett bore his Lordship's arms, and was, he believed, of his family. (This, of course, refutes the statement made by a writer in the *Dispatch*, April 16th, 1893, who states that Richard Bennett was a brother of Lord Arlington. If he had been, Ludwell would surely have known.) In the latter portion of his life, Bennett appears to have become a Quaker, in inclination at least, if he did not actually join that religious body. George Edmundson, the companion of Fox, wrote of him, "He was a solid, wise man, received the truth and died in the same, leaving two friends his executors." His will, describing himself as of Nansemond river, in Virginia, and dated 15th March, 1674, was published in the New England Historical Register, January, 1894, in "*Waters' Gleanings*." He gives to the parish where he lives and has long lived, 300 acres, which Thomas Bolton held by lease and lived on, the rents to be received yearly by the church wardens, and disposed of towards the relief of four aged or impotent persons. To Richard, son of Thomas Baxton, the rents and profits of the land on which Edmond Belson then lived. To daughter

Ann, £50 sterling, in addition to what she owed him. To grandchildren Elizabeth, Anne and Bennett Scarburgh, or any other of his daughter Scarburgh's children, 2,800 acres on Pocomoke river, on the Eastern Shore of Maryland, and 2,500 acres on Wicomico river, on the Eastern Shore of Maryland. To cousin Silvester, the wife of Major Nicholas Hill, 12,000 lbs. tobacco. To cousin Mary, the wife of Mr. Luke Crop-ley, of London, £20 sterling. To Richard Hubbard, of Pig Point, 1,000 lbs. tobacco. To Mildred Ward, to the widow of John Lewis, to Charles Howard and Richard Higgins, 1,000 lbs. tobacco each, and to Chas. Howard, the land where he (Howard) lives, for eleven years. To John Chilcotes, Thomas Garratt, Wm. Kitchen, John Blye, Patrick Edmon-son, the widow Reddick, and to John Worter, who married the relict of John Salisbury, 1,000 lbs. tobacco each. To Wm. Yeanet, of Pagan Creek, and the wife of Mr. Thomas Taberer, 2,000 lbs. tobacco each. To Elizabeth Cutland, of Chuchotuck Creek, and Thomas Jordan, of Nansemond, 2,000 lbs. tobacco each. To James Day, 12,000 lbs. tobacco. And Mr. Taberer, if he sees cause, may add 3,000 lbs. to it. Gives all his servants that then lived with him, both Christians and negroes, 1,000 lbs. tobacco each, except the hirelings, Rich'd Higgins and John Turner. Gives rest of estate, real and personal, to grandson, Richard Bennett, then residing in Bristol, and in default of his heirs, to the children of Theoderick Bland and Charles Scarburgh. Appoints James Jofey, Mr. Thomas Hodges, Edmond Belson, and Robt. Peeble, overseers. The will was proved in Nansemond, April 12th, 1675, as that of Major-General Bennett, and the probate signed by John Lear, Clerk of the Court.

The editor of the *William and Mary Quarterly*, found among the records of Lower Norfolk county, an order referring to the wife of Hon. Rich'd Bennett, Esq., as "formerly Mary Ann Utie." They had issue: I. Richard,² of Greenbury Point, Anne Arundel county, Maryland, who was drowned shortly before his father's death. He was member of the Maryland Assembly in 1663, and a Commissioner of Kent county. His will was proved January 17th, 1676. He married Henrietta Maria, daughter of James Neale, of Maryland. II. Anne¹ married (1) Theod-erick Bland, of Westover, Virginia (*Epitaph*), and (2) Colonel St. Leger Codd, of Northumberland county, Virginia, and afterwards of Maryland (*Sainsbury Abstracts*). She died at Wharton's creek, Maryland, 1687; 4. Daughter,³ married Colonel Charles Scarburgh, of Accomack county, Virginia. Richard² and Henrietta Maria (Neale) Bennett had issue: I. Richard,³ of Maryland, born 1663, died 1749. He was one of the wealthiest men in America owning great landed estates, and, it is said, 1,300 slaves. The *Gentleman's Magazine*, in a notice of his death, says he was the richest man in the Colonies. His tomb is at Bennett's Point, Queen Anne county, Maryland, with the Bennett arms, and a long inscription. By his will, dated September 25th, 1749, he left most his estate to his sister, Mrs. Susanna Lowe, and his kinsman Phelemon

Lloyd; and bequeathed to George Parker, of Accomack county, in trust, all his lands and plantations in Virginia, as well those on Bennett's creek, Nansemond county, as elsewhere, and all his slaves, personal property, stocks, &c., in Virginia; in the first place to raise £30 "Virginia Silver Money" annually to be paid to the church-wardens of the parish where the land lay, being the lower parish of Nansemond, for the use of the poor of said parish, and a further trust for the use of said George Parker and his heirs. At the session of November, 1766, the Assembly passed an act directing that the church-wardens of the parish of Suffolk (which then included the Lower Parish and Chuckatuck) should receive of George Parker, £600 Virginia currency, in lieu of the annuity (*Henning* viii, 287).

Robert Bennett, a brother of Edward Bennett, was living in Virginia, as his agent, prior to January, 1623-'4. In 1648, Mr. Philip Bennett, gentleman, administrator of Robert Bennett, had a grant of land in Nansemond county. Ambrose Bennett (included among the head rights, *ante*) had a grant in Isle of Wight, 1638. In 1664 Major Nicholas Hill, patented 750 acres of land in Isle of Wight, being half of 1,500 acres, which was conveyed by Richard Bennett, Esq., to Silvester, wife of said Hill, and to Mary, wife of Thomas Bland, as heirs of Mr. Edward Bennett, and which had been divided in 1663. Mrs. Bland must have been the "Cousin Mary, wife of Mr. Luke Copley, of London," named in Richard Bennett's will. Mrs. Silvester Hill, left 350 acres to the poor of Isle of Wight county. James Day, who is also named in Bennett's will, mentions in his own, proved January 9th, 1700-'1, his Aunt Silvester Hill and his "ever-honored mother, Mrs. Mary Copley." (*William and Mary Quarterly*, January, 1895, page 167). She was the Mrs. Copley of Bennett's will. Anthony Barham, of Mulberry Island, Virginia, in his will, dated 1641, mentions his "Mother Bennett" and "Brother-in-Law Richard Bennett."

[2] Major George Fawdon was Burgess for Isle of Wight 1653.

(178) ROBERT BENNETT [1] 700 acres about 1½ miles up a creek near the mouth of Nansemond river. Due for the transportation of 14 persons (whose names appear below). Granted by West, June 26th, 1635.

James Leonard, Peter Rice, Eliz. Gilbert, George Rawles, Robert Robye, Richard Hayes, Phil. Pharrin, George Rotheram, Jon. Flood, Jon. Lee, Ann Busby, Richard Smith, Edward Mayo, Eliz. Bussey.

NOTE.

[1] See note to preceding patent.

(179) DANIELL CUGLEY, 400 acres in Accomack, joining southeast on Savage's creek, and on the land of Mrs. Hannah Savage, called Sav-

age's Choice. Due for the transportation of 8 persons. Granted by West, June 27th, 1635.

(180) STEPHEN WEBB [1], 300 acres near the mouth of Chippoakes creek. Due 50 acres for his own personal adventure and 250 for the importation of 5 persons. Granted by West, June 30th, 1635.

NOTE.

[1] Stephen Webb was Burgess for James City county (then including Surrey) in March, 1642-3, and October, 1644. He had two sons, Robert and William, who died without issue. There is recorded in Surrey, January 3d, 1655, a statement that "Robert Webb, the son of Stephen Webb, was born November 16th, 1636. William Webb was born February 14th, 1655 [?]. Being found in an old Bible and inscribed with their father's own hand." There is also on record in Surrey the following (1) certificate dated at Tewksbury Borough, in the county of Gloucester, England, that the "bearer hereof," William Webb, was younger brother of Stephen Webb, lately deceased, who heretofore lived and died in Virginia, and that said William was uncle to Robert Webb, son and heir to the said Stephen, and likewise deceased; that said William was only brother of the said Stephen, and as appears by certificate annexed, said Stephen and William were born at Breshley, in the county of Worcester, within one mile of this borough, and said William and his wife and family now and for divers years past have lived quietly and orderly within this town. Dated at ye Tolsey [?] of the said borough, by the general quarter session, July 14th, 1659. (2) Certificate by the minister and church wardens of the parish of Breshley, in the county of Worcester, upon the request of William Webb, the bearer hereof, that the said William was legitimate brother of Stephen Webb, lately deceased in Virginia, and that said Stephen was baptized in our parish church of Breshley, September 1st, 1598, and that William Webb, his brother, was baptized May 10th, 1601, both being the sons of Stephen Webb and Anne,¹ his wife. (3) Certificate of Richard Dowdeswell &c., as to the correctness of the preceding statements, and that Stephen Webb, father of the said Stephen and William, was a freeholder of several lands within the manor of Breshley, and lived there for many years until he sold his lands to several persons, who now enjoy the same. Dated February 26th, 1659. (4) Power of attorney from William Webb [x], of Tewksbury, Gloucestershire, brother and heir of Stephen Webb &c., to his son, William Webb, to enter into all lands &c., in Virginia, of which Stephen and Robert Webb died seized, &c., &c. July 20th, 1659. There is also recorded a deed dated February 18th, 1642, from George Powell, of Lower Chippoaks, James City county, gentleman, to Stephen Webb, of the same, planter, conveying certain estate for the life of said Stephen Webb and Dame Clare, his wife, &c., and reversion to Robert Webb, son of said Stephen and Clare. On October 4th, 1667,

William Webb, of Tewksbury, in the county of Gloucester, shoemaker, gave a power of attorney to Lot Ricketts, of Bristol, mariner, to dispose of all his estate in Virginia.

(181) JOHN SEAWARD [1], 300 acres in the county of Warrosquoiacke, beginning at a small creek towards the head of Warrosquoiocke river. Due for the transportation of 6 persons (whose names appear below.) Granted by West, July 1st, 1635.

Henry Weblin, Thomas Woodcock, Wm. Thompson, Arthur Scott, Jon. Brinton, Edward Peeters.

NOTE.

[1] John Seward was Burgess for Isle of Wight, 1645. In 1665, Mr. John Seward patented 1,500 acres called "New Hemington," on Seaward's Creek, in Isle of Wight county, which was formerly granted to his father, John Seaward, in 1649.

(182) WILLIAM RAMSHAW, 200 acres in Elizabeth City county, at the mouth of Elizabeth river. Due 50 acres for his own personal adventure; 50 for the personal adventure of his wife, Katherine Ramshaw, and 200 for the transportation of two persons, John Stephens and Thos. Panford. Granted by West, July 1st, 1635.

(183) JOHN SEAWARD, 100 acres in the county of Warrosquoiacke, being part of an island called Ragged Island. Due for the transportation of two persons, Katherine Perry and Henry King. Granted by West, July 1st, 1635.

(184) WILLIAM CLARKE, 250 acres in the county of Warrosquoiacke, on the south side of Nansemond river, adjoining the land of George Fawder [Fawdon]. Due 50 acres for his personal adventure, and 200 for the transportation of 4 persons (Alexander Tucker, Francis Costerdine, Henry Southerne, Joseph Spring). Granted by West, July 1st, 1635.

(185) WILLIAM EYRES [1], 250 acres in Warrosquoiacke, on the "Maine Creek which runneth from the great river called Warrosquoiacke Creek," and on Nansemond river. Due for the transportation of 5 persons (Francis Stefferton, John Roche, Humphrey Broade, John Pumpfrey, Will Empson). Granted by West, June 30th, 1635.

NOTE.

[1] Perhaps this patentee was related to Thos. Ayres, who was associated with Edward Bennett, &c., in a plantation in this county. At Portsmouth, Va., among the records of Lower Norfolk County, is a power of attorney from "Samuel Chew, Esq., of Herrington [Maryland],

and his wife Anne, sole daughter and heiress of Mr. William Ayres, of Nansemond county."

(186) SAMUEL WEAVER, 650 acres [York Co.] lying easterly on a creek called Captain John West's Creek. Due for the transportation of 13 persons, whose names appear below. By John West, July 2d, 1635.

Wm. Rawlins, Tho. Wills, Rich. Lacy, Tho. Darby, Rich. Powell, Tho. Wethersby, Grace Smith, Tho. Watkins, Jo'n Joyce, Rich. Possen, Dennis Brotherton, Hen. Harris, Wm. Goulding.

(187) GEORGE MINIFIE, ESQ., one of the Councill of State, 1200 acres in the County of James City, commonly called the Richneck, bounded on the west by a branch of Archer's Hope Creek, which parteth the Richneck from a neck of land called the barren neck; on the east by Archer's Hope Creek to its head. Due for the transportation of 24 persons (whose names appear below). By John West, July 2d, 1635.

Edw'd Williams, Thomas Andrews, Antho. Skinner, Rich. Clarke, Symon Loram, Jon. Doe, Rich. Appleton, Tony Eastindian [East Indian], Wm. Sutton, Wm. Large, Jon. Abram, Wm. Stoddon, Jon. Bug-bye, Jon. Ellis, Sam'l Turner, Nich. Whorewood, Jon. Baker, Jon. Grimes, Tho. Poole, Tho. Taylor, Lydia Price, Robt. Thomas, Tony a Turke, Jeffery Hatton.

(188) THOMAS GARNETT, 200 acres adjoining the land of Doctoris Christmas, on the head of little poquosan river, and also adjoining George Hull's ground. Due for the transportation of four persons. By Jno. West, July 3d, 1635.

(189) JOHN MOORE, 200 acres on the little poquosan river, and adjoining the land of Thos. Boulding—due for the transportation of 4 persons. By John West, July 3d, 1635.

(190) GEORGE BURTCHER, 200 acres in James City County, lying between the mouths of Hog Island and Lownes Creek—due 50 acres for his own personal adventure, 50 for the personal adventure of his wife Anne, and 100 for the adventures of his children, viz: John Jefferson [1] his wife's son, and Jane Burtcher. By Jno. West, July 3d, 1635.

NOTE.

[1] Perhaps the son of John Jefferson, member of the House of Burgesses 1619.

(191) JOHN DAVIS, 100 acres in the County of James City on the east side of the land known by the name of Jockey's Neck [1], abutting southerly on John, his neck, and easterly on Archer's Hope Creek. Due 50 acres to the said John Davis by covenant from his late master,

Mr. Richard Perry, of London, Merchant, and 50 for the importation of his servant, Richard Thomas. By John West, July 14, 1635.

NOTE.

[1] Still the name of a farm near Williamsburg.

(192) DAVID JONES, 300 acres in the County of Charles City over against Topohanna Marsh, and lying between two creeks, the second creek and the third creek. Due for the transportation of 6 persons (names below). By John West, July 4, 1635.

Tobie Borke, Thomas Jones, Robt. Scory, Jon. Cole, Jon. Harman, and one negro woman.

(193) BENJAMIN HARRISON, 200 acres in the County of Warrosquoiacke, lying on Warrosquoiacke Creek, about two miles up, which land is now in the tenure and occupation of Thomas Jordan, gentleman. Due by deed of sale from John Davis, of Kiskiache, July 9th, ninth year of Charles I, and is part of a dividend granted by order of court, dated June 5, 1633, to John Davis as heir to his uncle Walter Davis. By John West, July 7, 1635.

(193) THOMAS HARWOOD, 1,500 acres at the head of Kethe's creek, and adjoining his own land. Due for the transportation of 30 persons (names below). By John West July 7, 1635.

Tho. Read, John Spilltimber, John Dennie, Silvester Totman, Wm. Peters, Robt. Hudson, Thomas Parks, Robert Smith, Tho. Hinchley, Jon. Heyward, Wm. Darneley, Daniel Lane, Lewis Cocke, Thomas Smith, Matthew Burrows, Tho. Cason, Edw. Hall, Jon. Greene, Foulke Brassey, John Stockdell, Wm. Bell, Robt. Teffett, Tho. Lewis, Blanch Braunes, Mary Eaworth, Joane Butler, Eleanor Dunberbreach, Sam'l Trigg, Jon. Eastoote.

(194) JOHN UPTON [1], 1,650 acres in the County of Warrosquoiacke, about three miles up Pagan Point Creek. Due for the importation of 33 persons (names below). By John West, July 7, 1635.

Rich. Young, Antho., a negro, Mary, a negro, Florence Richards, Roger Bagnal, Ralph Harwood, Thomas Reeves, Rich. Sparkman, Edwd. Burr, Savage Nerrie, Wm. Scott, Rich. Jones, Fr. Savage, Owen Howell, Nich. Bushell, James Parsons, Jon. Parker, Lewis Phillips, Morgan Roberts, Wm. Davis, John Fitchett, Morgan Evans, Christopher Lewis, Phillip Kennusley Eliz. King, Martha Iwan, Mary Johnson, Jonas Sadlington, Anth. Tyler, Peter Heyes, Rich. Jackson, Wm. Pincher, Eliz. Larkin.

NOTE.

[1] Captain John Upton was long one of the leading men of Worrosquoiacke, or Isle of Wight county, as it soon was called. He was a

member of the House of Burgesses March, 1629-30; commissioner (justice) of Warrosquoiacke in November, 1627, and again from February, 1631-2; Burgess February, 1632-3, January, 1639 (*Robinson's Notes*), April, 1642, November, 1645, March, 1645-6, and November, 1647 (*Hening* 1). At the session of 1645 the Assembly provided for a mint, and enacted that "Captain John Upton is hereby confirmed Mint Master Generall. Wee reposing much confidence in his care, ability and trust for the performance of the said office" (*Hening* 1, 309). April 13th, 1640, the Governor and Council ordered that Captain John Upton, Commander of Isle of Wight, being to take his voyage to England, another person, named, be appointed to fill the place during his absence. His will, without date, was proved in Isle of Wight December 16th, 1652. His legatees were his wife, Margaret, sons, John and William, and daughters, Elizabeth Upton, Sarah Upton and Margaret Underwood; mentions also William Underwood.

On July 4th, 1653, his widow, Mrs. Margaret Upton, was granted 700 acres in Lancaster county. This by deed in Rappahannock county, October 1st, 1656 (from "Mrs. Margaret Upton, widow"), she sold to Humphrey Booth, of Lancaster county, merchant; William Underwood as a witness. In a much worn record book in Rappahannock county there is a contract dated April, 1656 or 1657, between Thomas Lucas, the elder, of Rappahannock county, gentleman, on the one part, and Colonel Moore Fauntleroy and Captain William Underwood, of the same county, on the other part, in view of a marriage shortly to take place between the said Thomas Lucas and Margaret, widow of Captain John Upton, deceased, and also a bond of said Lucas, in penalty of 20,000 lbs. tobacco, to carry out the terms of this contract. Thomas Lucas, gent., of Lancaster county, in June, 1652, received a grant of 600 acres in Lancaster, among the head-rights being Thomas Lucas, Sr., his wife, Thomas Lucas, Jr., Katherine and Sarah Rowzee &c. Thomas Lucas, Sr., was a justice of Rappahannock county 1657, and Burgess from the same county March, 1657-8. His will (Thomas Lucas, the elder, of Sittingborne parish, Rappahannock county) was dated October 14th, 1669, and proved March 14th, 1673. He speaks of himself as aged, and his legatees were his son-in-law, John Catlett, son-in-law, Captain Thomas Hawkins, grandchild, Mary Hawkins, son, Thomas Lucas, and sister-in-law, Mrs. Margaret Painier [?]. According to a subsequent land grant, Thomas Lucas, Jr., died without issue and without an heir. The sons of Captain John Upton, as far as anything appears from the records, died unmarried. Of the daughters, 1. Elizabeth¹, married, first, Captain Francis Slaughter, of Rappahannock county, who was a justice of Rappahannock county in 1657. There is a deed dated August, 1657, from Francis Slaughter, of Rappahannock, merchant, to Mrs. Margaret Upton. There is a deed, Rappahannock, dated about 1657, from Elizabeth Slaughter, conveying certain property to her son, Francis

Slaughter, and naming his father, Captain Francis Slaughter, deceased. She was about to marry again. Also a deed, Rappahannock, January 6th, 1663, from Mrs. Margaret Lucas to her grandchild, Francis Slaughter, son of Francis Slaughter, deceased, with reversion to her daughter, Elizabeth Catlett. In a deed, January 5th, 1664-5, John Catlett made a deed confirming title to Francis Slaughter, and reciting that Mrs. Margaret Upton *as* Lucas had made a gift to said Francis Slaughter, and that he, Catlett, had married Elizabeth Slaughter, widow, mother of the said Francis Slaughter. The will of Francis Slaughter, Sr., Rappahannock, 1656, bequeathed legacies to his mother-in-law, Mrs. Margaret Upton, and brother-in-law, Colonel Moore Fauntleroy. How Moore Fauntleroy was related does not appear. Francis Slaughter, Jr., married Margaret ——. There is a deed, 1699, from Francis Slaughter, of Richmond county, and his wife, Margaret, conveying land granted her in 1679. He was probably the Francis Slaughter whose will was proved in Richmond county 1718, and whose legatees were his daughters, Martha, Mary and Elizabeth, and who mentions his brother-in-law, John Taylor. If so, he omitted to name a son, for in the will, 1699, of William Catlett, half-brother of Francis Slaughter, Jr., he names his nephew, William Slaughter. The name Francis continued in the family, for in 1729 Francis Slaughter and Ann Lightfoot were married in Spotsylvania county. It is probable that the Slaughters of Culpeper &c., descended from the persons above named. It is not known how, if at all, William Slaughter, who was sheriff of Rappahannock 1686, and who, in 1674, made a deed jointly with his wife, Phœbe, was related to Francis Slaughter. Mrs. Elizabeth Slaughter married, secondly, Colonel John Catlett, of Rappahannock county. John Catlett was long one of the leading men of the section of the Colony in which he resided. He appears to have been a native of the parish of Sittingbourne, Kent, England, where he owned land. The parish of Sittingborne, Rappahannock county, Virginia, where he lived, was doubtless named in honor of his birth-place. With Nicholas Catlett he received a grant of land on the Rappahannock in 1650. He took an active part in the business of the county and its defence from the Indians, as the records show. He was presiding justice of Rappahannock 1665, and died about 1670, killed, it is said, while defending a frontier fort (at what was afterwards Port Royal) against the Indian. Of the tract of about 4,800 acres which he patented and bought, lying on the south side of the Rappahannock, between Golden rule and Cedar creek, and called "Green Hill," some 300 or 400 acres are still possessed by a descendant in the male line. By his will (date torn off) he bequeathed property to his sons, John, William and Thomas, and to his daughter, Margaret, 1,860 acres in the "freshes" of Rappahannock. He had previously by deed conveyed land to his daughters, Sarah and Elizabeth, wives, respectively, of Robert and Francis Taliaferro. By his will, as cited in the marriage contract

of his widow with Rev. Amory Butler, he directed his children to be educated in England out of the proceeds of his estate there. His son, John, was member of the House of Burgesses from Essex 1700 and 1702 (*Essex Records*), and died in 1724, when his will was recorded in Essex. His daughter, Rebecca, married Francis Conway, and was the grandmother of President Madison. In 1701 John Catlett, Jr., gave a power of attorney to John Munford, of London, gentleman, to sell his lands at Sittingborne and Radwlesham [?], Kent, England. The following from the English Chancery Proceedings gives something in regard to the family in England:

Chancery Proceedings—Charles I, C. C., 39, 20th Apl., 1648:

Humbly complaining, sheweth unto y'r honor yo'r Orrators George Catlett ye elder of Blackwall in Co. Middlesex, gent, Judeth Catlett, Tho: Catlett, Will: & Edward Catlett, sonnes of ye s'd Judeth & of Tho: Catlett, late of *Sittingborne* in ye Co. of Kent, deceased, by ye s'd Judeth Catlett their mother & guardian. George Catlett, ye younger, of Sandwich, in ye County of Kent, marriner, & John Catlett sonne of John Catlett, ye younger: yo'r Orrators George Catlett ye elder & Thomas Catlett deceased, George Catlett ye younger being all ye sonnes of John Catlett ye elder late of *Sittingbourne*, in ye Co. of Kent afors'd gent, deceased, whereas heretofore yt is abt. Easter 1646, Geo: Catlett ye elder & Tho: Catlett, Geo: Catlett ye younger & John Catlett sonne of John Catlett ye younger did exhibite their Bill of Complaynt against Silvester Herlakenden & Roger Herlakenden thereby shewing yt Walter Herlakenden late of Mole Ashe in Co. Kent gent deceased father of the s'd Silvester & Roger was lawfully seized in his demesne as of fe in ye manor of Uston w'th al ye lands & tenements thereunto belonging lying & being in ye severall p'ishes of Tunstall Borden Milton als Middleton and *Sittingbourne* in Co. Kent & also of & in all ye tenement called Sollimans & lands thereunto belonging in Tonestall afs'd & also of certaine lands in greate *Sittingbourne* feild containyng 32 acres in one close 3 orchards & certayne lands in Milton containyng 20 acres & of and in other houses & yeards in ye Borth Street in Milton & of one messuage & marsh landes & tenements belonging in Brensett in ye s'd County, & ye s'd Walter Herlakenden being thereof seized by Indenture 12 July—? convey'd unto John Catlett ye elder for security of £69, all his Estate, Title interest of ye manor of Uston, on condition nevertheless that if Katherine Trollop, widdowe her ex'ors or assigns or ye s'd Walter Herlakenden his ex'ors & assigns, pay unto John Catlett ye elder his heires & assigns in ye South Porch of ye Church of *Sittingbourne* ye some of £69, in instalments at certain tymes ye said Indenture sh'd be voyd, & your complainants shewed that noe part of the said money was paid & the property descended unto ye complainants George Catlett ye elder, Tho. Catlett deceased, George Catlett ye younger & to John Catlett ye younger, father of ye Complt John Catlett.

"John Catlett, sonne of John Catlett the younger," was probably the emigrant to Virginia. Doubtless much more could be learned from wills.

The family appears to have been resident in Kent for a considerable period. In Hasted's History of Kent there is mention of Wm. Catlett, who died 5th Elizabeth, possessed of 100 acres of land and 20 acres of wood in the parish of Tong, on which land his son, Thomas, levied a fine in the same year. Lawrence Catlote, of the parish of Great Chart, by his will proved 1469, devised his messuage called The Place, in Chart Street, on the death of Joane, his wife, to John, son of Nicholas Phylipp.

Mrs. Elizabeth Catlett married thirdly, in 1672, Rev. Amory Butler, of Rappahannock county. On October 16th, 1671, as Elizabeth, widow of Col. John Catlett, she had given a power of attorney to Mr. Daniel Gaines (an early justice of Rappahannock, and ancestor of the family of that name in Virginia), whose daughter, Elizabeth, married her son, John Catlett. Her will is on record at Essex Court House, dated May 17th, 1673, proved June 16th, 1673. Legatees: "son Frances Slaughter, all the furniture of my chamber, except a chest of drawers which I give to my daughter Sarah, and a close-stool to my son John Catlett—to son Frances Slaughter, all goods, money, plate and rings, mentioned in an account in the hands of Mr. Daniel Gaines; also one negro boy, and an equal share of my stock of pewter, brass and iron, also a great chair, a small couch, a chest, and such other things in the house as my mother gave me by her will—to daughter Elizabeth, the bed and furniture now in the dining room, the press and cushion, great looking glass, drawing table and Turkey Carpet, and my childbed linen, blankets, and fine basket, my wedding ring, my biggest diamond ring, gilded bodkin, necklace with the biggest pearls, a small bible, silver sucking bottle and the small Cabinet—to daughter Sarah, two of my biggest stone rings, the small pearl necklace, silver bodkin, my new trunk, napkin press, a small bible, small testament, a dram cup, my wedding ring and an oval table—to son John, a small diamond ring, the map in the dining room, a rapier, a great cutlash, a pair of silver buttons, a pair of silver buckles, and the antimonial cup—to son William, a small cutlash, a ring with the stone enamelled blue, a silver seal—to two daughters, all my wearing apparel, clothes and linnen—to sons John and William, all my books, according to the inventory—to sons John and William and two daughters, all of my plate, except three spoons, and also to them, all pewter, brass, linnen and other household stuff not otherwise bequeathed—to three sons, each a carbine—to the four children of husband John Catlett, a gray mare and furniture—to cousin Wm. Underwood, the elder, one colt—to cousin Humphrey Booth, a chest and goods which were my mother's—to cousin Catherine Booth, a silver caudle cup which was her grandmother's—to sister Pierce, a mourning ring—my executors shall supply what tobacco may be needed for my children's education in England, according to my deceased husband's will—what money remains in

the hands of Messrs. Gifford and Munford in London, to be used for the purchase of furniture for my son Frances Slaughter, in lieu of what his father-in-law owed him—Beloved husband Amory Butler executor, and my Cousin Captain Thos. Hawkins, my brother Edward Rowzee, and Mr. Daniel Gaines overseers of my will—to brother Booth's children, several cattle—to beloved husband Amory Butler, a bed, furniture and a mourning ring."

There was a suit in the General Court, May, 1673, between Amory Butler and Capt. Thomas Hawkins, "a kinsman of Col. John Catlett," as to which should have charge of the children and estate. It was adjudged that Butler have charge of the estate and Mr. Daniel Gaines of the children. Rev. Amory Butler was brother of Rev. Wm. Butler, of Westmoreland county.

II. Sarah, second daughter of Capt. John Upton, was doubtless the "Sister Peirce" named in Mrs. Butler's will. Wm. Peirce was a justice of Westmoreland in 1668, as Major William Peirce was first in the Commission of the peace for Westmoreland, Nov. 5, 1677. There is a deed, dated Oct., 1668, from Major William Peirce to George Bruce, and acknowledged by Peirce's wife *Sarah*. The will of Col. William Peirce was proved in Westmoreland, March 25, 1702. Legatees: Pierce Gower and Stanley Gower, 310 acres being the land their father lived on, grandson Samuel Bayley, grandson Wm. Peirce (son of John Peirce, deceased), wife. Daughters: Elizabeth Bridges, Margaret Graham and Mary Rowsey. It seems probable, from various records, that Mrs. Margaret Upton had been previously married to ——— Underwood, and that by him she had several children. As has been stated, Wm. Underwood is named in the will of Capt. Upton. In 1650 Wm. Underwood, gentleman, had a grant of land on the north side of the Rappahannock; among the head-rights were Wm. Underwood, himself, four twins to Virginia; Mary his wife and Wm. Underwood his son. Wm. Underwood was Burgess for Lancaster, Nov., 1652, and justice of Rappahannock 1656. There was recorded in Rappahannock county a deed Nov. 2, 1657, from Capt. Wm. Underwood, of Rappahannock (with the consent of Mary, his wife), conveying to Richard Loes and Rice Jones, gentleman, both of Rappahannock county, a tract of 650 acres on north side Rappahannock river. There is recorded in Lancaster a power of attorney from Henry Mountfort, of Rotterdam, merchant, to William Moosle [Moseley] "merchant in ye Virginias," to receive certain payments from Mr. Wm. Underwood, dwelling in Virginia, dated Aug. 12, 1649, recorded in Lancaster, Oct. 1653. Mr. Wm. Underwood was a justice of Lancaster, 1652, and on Dec. 11, 1656, was appointed one of the justices, and of the quorum of Rappahannock county at its formation. There is also in Lancaster a power of attorney, from Simon Overzhe, of Linhaven, Va., merchant, to Mr. Wm. Underwood.

Margaret Underwood named in Captain Upton's will as "daughter,"

married Humphrey Booth. There is a marriage contract between Humphrey Booth, of the county of Lancaster, merchant, of the one part, and James Williamson and Wm. Underwood, of Lancaster, gentlemen, of the second part, the said Booth intending to marry Margaret Underwood, sister of said Captain Wm. Underwood, conveying 700 acres on Rappahannock river, in Lancaster, which land was lately conveyed to him (Booth) by Mrs. Margaret Upton, widow, and mother of the said Margaret Underwood. There is recorded in Lancaster a power of attorney, dated Dec'r 5th, 1653, to Humphrey Booth, of London, merchant, who was about to go to Virginia. Humphrey Booth was appointed one of the justices of Rappahannock county at its organization, December 11th, 1656. There is on record a power of attorney from Wm. Walthall, of Henrico, merchant, to Humphrey Booth, of Rappahannock, merchant, dated July 26th, 1656; also a power of attorney, 1659, from Mary, wife of Wm. Underwood. There is a deed, August 10th, 1663, from Humphrey Booth and Margaret, his wife. There are on record deeds of gift from Mrs. Margaret Lucas to her grandchildren, Grace and Catherine Booth. One of these daughters married Robert Brooke.

It is probable that another sister of Capt. Wm. Underwood, Mary, married Capt. Thomas Hawkins, and still another daughter married James Williamson. Captain Underwood is spoken of as "uncle" of Williamson's daughters, who married, respectively, Wm. Ball and John Rosier.

It appears from a deed, that in 1675, Elizabeth, widow of Major Wm. Underwood (who must have married a second time), was the wife of Archdale Combe, of Rappahannock county. From a pedigree and wills in the *New England Historical and Genealogical Register*, 1889, pp. 158-160, it appears that Thomas Archdale, citizen and draper, of London, whose pedigree is given in the *Visitation*, of London, 1633-'4, and whose will was proved in 1611, had a daughter, Margaret, who married John Combe, of London, merchant, and had a son, Archdale Comb, named in his grandfather's will.

GENEALOGY.

THE FLOURNOY FAMILY.

COMPILED BY FOURNOY RIVERS, ESQ., PULASKI, TENN.

COMPILER'S NOTE.—This compilation is to be closed, so far as the Magazine is concerned, with one more (October) number. Many Flournoys have been reached. They are as multitudinous as the locusts in Egypt, and the publications made embrace but little of the accumulated data—even of the information, historical and otherwise, furnished by Mr. Edmond Flournoy from Geneva. Many branches have compiled their data; many others are at work on their own. Without exception they all trace back to the common origin, both by history and tradition.

The branch of Jean Jacques Flournoy has seemed to possess the continuity of tradition, as it were, more perfectly than that of Jacob-Francis. Hence, more has been published of it—more easily obtained.

The work should not be allowed to stop until a complete Flournoy Family-Book is compiled and published, taking Gideon Flournoy's work of 1732-1760, with the other historical data already collected, as a basis. The compiler hopes to aid in this by every possible effort, and would be glad to correspond on the subject.

THE FLOURNOY ARMS.—So many inquiries are made on this subject that it is desired to say that Edmond Flournoy and Mr. M. A. Gautier, "le premier heraldiste," of Geneva, have this matter under determination, and the drawings will appear as soon as possible in the Magazine. For others than those who have already inquired, the following post-office addresses are given: Professor Theodore Flournoy, Route de Florissant, 9; Mr. Edmond Flournoy, 12 quai des Eaux-Vives; Mr. Charles Flournois, Chemin Peschier—all at Geneva. The last furnishes an illustrated table of his descent from Laurent, the emigrant.

Edmond Flournoy sends with his last a copy of a letter received by him from Mrs. Anne Ernestine Flornoy Phillips—descended from Nicholas—a brother of Laurent, the only person of Flournoy extraction at the village of Flornoy. Of the American Flournoys she says: "You tell me they are many; so much the better. If only from there the family of Flournoy could be reestablished at Flornoy, I should be well content to know it before I die." She is now an old woman, page 323, January Number, 1895.

THE REVOLUTIONARY SOLDIER.—From the fact that all Revolution-

ary war data have been much scattered in many departments, and but recently have been collected into the single Bureau of Records and Pensions, Washington, D. C., Colonel F. C. Ainsworth, the indexing and compilation thereof as yet being incomplete, little could be done in this line heretofore.

The Chesterfield line teems with traditions of the physical prowess of "Great Jake," pages 325-6, January No.; John, Samuel (*Ibid*) and Gideon, page 440, April No., were sons of Samuel, of Powhatan. The first two of these died unmarried. Samuel, the father, is himself called "Captain" in his inventory, page 208, October No., 1894, but why I do not know.

CORRECTIONS AND CORROBORATIONS.—The name "Kearney," page 447, April Number, 1895, should be "Kearny." Wherever the "Western Military Institute" is spoken of in the last April Number of the education of the Middle Tennessee Flournoys, "The Kentucky Military Institute" is meant. From this school Captain William C. Flournoy was graduated (B. A.) June 11th, 1856. See page 442, April Number, and on page 443, Mildred (Feild) Batte was the mother of Edward Feild Batte, now of Hartley, Texas, Julia Flournoy (Batte) Garrett and Mildred, never married. The punctuation is misleading.

Alfred Flournoy (of the Middle Tennessee Flournoys) was in the volunteers (44th Regiment), war of 1812, not the regular army.

Thomas Jefferson Flournoy (of the West Kentucky branch), pages 445-6, April No., was State Representative, Caldwell County, 1841. Collins' Hist. Ky., Vol. 2, page 773. He was one of the founders of Paducah, Ky., and his son T. J. F., Jr., now possesses the minutes of organization of government May 2, 1831.

THE "BLUE-GRASS" (KY.) FLOURNOYS.

The removal of Mathews Flournoy (Sen'r), son of Jean Jacques, from Virginia; his settlement in Kentucky, his age, his death, are all given in the October Number, 1894, pages 201-'3. His emigration to Kentucky, most probably, took place between 1760 and 1765. Briery Church stands in southern part of Prince Edward county, not very distant from the Charlotte county line. He first lived in Prince Edward; then on Ward's Fork Creek (now so marked also) in the northern part of Charlotte county, whence he removed to Kentucky. He was a true pioneer, and conducted out many parties of emigrants—killed on his thirteenth trip—traditions of locality say at Crab Orchard, Cumberland Gap, and between the Holston and Clinch Rivers in Upper East Tennessee. These two last localities are probably the same and the correct place. He settled in Scott county, Kentucky, near where old North Elkhorn Church afterwards stood, and where the old Flournoy Fort was built—the pioneer's stockade. E. N. Offutt, Sr., now owns the lands.

His house, more than a century old, still stands; the first in that region with window glass, brought on horseback from Virginia. He had married in Virginia, Elizabeth Pryor Smith, widow of Charles Smith, daughter of William Pryor, about 1755. Their children: Robert, Samuel, David John, John James, Francis, Matthews, Jr., Patsy Caroline (married Wells), Thomas, Lucy (died young and unmarried), Elizabeth Julia (married Henry), and possibly another son, drowned when a boy. (Patsy Pryor, by her 1st marriage to Charles Smith, had 3 children; Lemuel, married — Perkins, daughter of Col. Peter Perkins, of Williamson county, Tennessee; John, married — Perkins also, but whose history is not known; Margueretta, married John Dabney, near Franklin, Williamson county; each left descendants.)

All were enterprising and public spirited, and early began to develop the country. The public services given on page 203, October Number, 1894, are from *Collins' History of Kentucky*, Vol. II, pages 676-771. David Flournoy and his brother-in-law, Gen. Wm. Henry, were, in 1801, commissioners from Scott county to procure subscriptions to stock in "The Kentucky River Company," the first corporation in the State for internal public improvements; *Collins*, Vol. I, page 543. Mathews Flournoy, Jr., was the defeated Democratic candidate for Governor in 1836. *Annals of Kentucky*, Vol. I, page 41. He was in the State Senate, 1821-26, from Fayette county; representative from Fayette, 1821, from Shelby, 1805. All left large families whose descendants are now scattered to the four winds, except the 4th, John James.

The genealogical proof taken during the litigation growing out of the construction of his (J. J. F.'s) will and his wife's will, and the administration of their estates, furnishes the frame work of this compilation. These cases are *Flournoy's Devises vs. Flournoy's Executors*, 1st Bush Reports, pages 515-526, winter term, 1866, Peters, Ch. J.; and *Flournoy vs. Stevenson*, 89 Kentucky Reports, pages 561 *et seq.*, January term, 1890, Holt J. John J. Flournoy, m. Agnes Grant, daughter John Grant, of Campbell county, Ky., from which Kenton county was taken in 1840, the latter embracing his estate. She d. in Kenton county, July 31st, 1840. He d. in Campbell county; no children. His will was published in Campbell county, Ky., September 3d, 1813. He died twenty-two years thereafter, and his will was probated at the November (1835) term of Campbell county court. He was a lawyer of distinction. The widow, as executrix, took possession and managed the estate till her death. Her will was probated in Kenton county, August, 1840. Her executor, Samuel Winston, took and managed the whole estate till his death, 1850, making his wife executrix. This litigation began May 4th, 1852. The lands lay in Campbell, Kenton and Boone counties.

MATHEWS FLOURNOY'S DESCENDANTS.—Robert, his oldest child, born Prince Edward county, Va., 1763, never came to Kentucky; ac-

accompanied his father's family as far as the Alleghanies in their removal from Virginia; settled in Hancock county, Ga.; removed to Jefferson county, Ga., thence to Montgomery county, and finally located in Chatham county, Ga. His tombstone says he was "a soldier of the Revolution;" m. Mary Willis Cobb, May 9th, 1794. R. F.'s wife b. April 15th, 1777, d. February 8th, 1829. R. F. served several terms in Georgia Legislature from Montgomery county; d. July 5th, 1825, Lexington, Ga., buried at Sparta, Ga.; children, as given by the McKinley bible and other data: Marcus Aurelius, b. October 9th, 1795, (Thomas Howell, b. March 19th, 1797, died infant?), (Elizabeth America, b. May 18th, 1800, died infant?), Robert Willis, b. December 11th, 1802, Mary Mildred, b. January 8th (or June 18th?), 1805, John James, b. August 15th, 1808, Robert Watkins, b. March 5th, 1811, Howell Cobb, b. March 21st, 1813, Elizabeth Julia, b. May 25th, 1815. Of these, Marcus Aurelius m. (1) December 7th, 1820, Mrs. Susannah (Margaret?) Connelly (née Bostwick), [did she die July, 1831?], and (2d) Margaret Shellman, 3d, a widow Shellman, Chambers county, Alabama. He left: Mrs. Mary A. Caldwell, James, Ga.; Mrs. E. J. F. Harris, Jonesboro, Ga.; W. M. Flournoy, Waco, Texas; Adams Flournoy, Tyler, Texas; Robert Flournoy, died; children in Florida; George Flournoy, left son, George Flournoy, Jr., lawyer, Bakersfield, Cal., formerly City Attorney, San Francisco.

Robert Willis Flournoy, b. December 11th, 1802, d. bachelor January, 1845, at "Bonny Belle," Savannah, Ga.; several times in Georgia Senate from Chatham county.

Mary Mildred Flournoy, b. June 18th, 1805 (died 1874), m. Nathaniel Alexander Adams, July 26th, 1820 (1821), Savannah, Ga., who died August 28th, 1849. Wyly Cobb Adams, their eldest son, was in Mexican War, then captain of Company "K," 3d U. S. Artillery; resigned when Civil War began; settled in Indiana; m., died 1869 without children; 2d son, Newell Sayre A., killed at "Natural Bridge," Mexican War, aged 19. The 3d son, Rev. Habersham J. Adams, Dalton, Ga., became a Methodist minister in 1856. Married twice; both wives dead; last left John Porter Adams, St. Louis, also 3 daughters, names unknown. 4th son, Robert Watkins Adams, graduated 1859, State University, Athens, Ga.; captain 5th Georgia Infantry, Perry's Brigade, C. S. A., located in Florida; in Senate and House of Florida Legislature; m. Sophia Brownaw, d. 1886 or 1887 of wounds received at battle of Gettysburg; left widow, White Springs, Fla., and children, Frank Adams, Jasper, Fla.; Nathaniel Adams, Robert Watkins Adams, Julia Adams, m. Rev. Saunders, Fernandina, Fla.; Minnie Adams. 5th son, Flournoy Woodbridge Adams, Athens, Ga.; 12 years member of Georgia Legislature; removed to New York; d. November 14th, 1874; m. twice, 4 children, May, now Mrs. Fowler, of Los Angeles, Cal., Maxwell, one of the commercial editors of the *New York Tribune*, Dora, widow of Alexander Ste-

phens Hopkins, Atlanta, Ga., resides there with her son, Flournoy Hopkins, and 4th, name not known. The eldest daughter, America Flournoy Adams, married Major T. M. Lampkin, staff of General Thomas R. R. Cobb, C. S. A., Athens, Ga.; now with her son, William H. Lampkin, Mt. Vernon, N. Y., and her daughter, Mildred, m. Nathaniel Barrett, West New Brighton, Staten Island, N. Y.; died, left a daughter, Alinene, and son, William, in Athens, Ga. (1894). 2d daughter, Mary Willis Adams, m. William Bullock Jackson, captain of Company "B," Savannah Guards, C. S. A., and children, Joseph Jackson, Savannah, Ga.; Nathaniel Jackson, Athens, Ga.; Mary Virginia Jackson, m. R. W. Thiot; Sarah Cobb Jackson, m. Polk Stewart, Macon, Ga. 3d daughter, Elizabeth Julia, died 18 years old. 4th daughter, Julia Mildred Adams, m. Thomas Walker, of Greene county, Ala.; killed at battle of Kennesaw Mountain, 1864; m. 2d, Edmund Bryan Adams, Savannah, Ga.; died 1872, leaving Herbert Walker Adams, Washington, D. C.; Harry Walker Adams, Savannah; Cobb Adams, Pensacola, Fla. 5th daughter, — Adams, m. Dr. Clifford Adams Stiles, now of Atlanta; died 1893, left George Clifford Stiles, Habersham Adams Stiles, Mary Joe Stiles and Margaret Stiles. 6th daughter, Margaret Helen Rebecca Adams, m. George Clements, 1868; now at Gainesville, Ga.; no children.

John James Flournoy, b. August 8th (or 15?), 1808, left Mary Cobb Flournoy, who m. — Gross, Ridgway, Ill.; J. J. F. married Eliza Venable Dec. 21, 1834; lived in Clark county, Ga., eccentric; in 1858 published pamphlet, Athens, Ga., on "Trigamy," title of which was "Go to the Bible;" referred to by Oliver Wendell Holmes in his "Professor at the Breakfast Table." Howell Cobb Flournoy, m. 1840, died 1872, leaving Robert Flournoy, Athens, Ga., Howell Cobb Flournoy, Jr., John Cobb Flournoy, Andrew Jackson Flournoy, Elizabeth Mildred Flournoy, m. — Fuller, Athens, Ga. Robert Watkins Flournoy, b. March 5th, 1811, Mount Vernon, Montgomery county, Ga., m. 1st, Amanda C. Cullens, Washington county, Ga., May 1st, 1834, and 2nd, Louisa Cullens about 1857; twice a member of the Legislature from Jefferson county; twice from Washington county, Ga.; was Franklin Pierce elector from Ga. in 1852; moved to Pontotoc, Miss., 1857; member Secession Convention in Mississippi, died at Pontotoc, Miss., Oct. 24th, 1894. By first marriage two children, Robert Watkins, b. December 13th, 1841, died (killed) in Sandersville, Ga., June 1869; member of Georgia Legislature from Washington county, 1869; Captain Co. "B," 28th Ga. Regt., C. S. A., *Avery's Hist. Ga., Appendix "A,"* m. Ophelia C. Tucker, of Laurens county, Ga., in 1866, and had two children, Robert Willis Flournoy, b. Sept. 22d, 1867, in Washington county, Ga.; Fort Worth, Tex., lawyer, and Anna Roberta Flournoy, b. Dec. 29th, 1868, m. Robt. W. Andrews, of Georgia; Birmingham, Ala.; two children, Robt. Usher, b. Atlanta, Ga., December 21st, 1890, and Anna Tucker, b. Feb. 19th, 1892. Elizabeth M. Flournoy, daughter of Robert Watkins, b.

Washington county, Ga., July 24th, 1844, m. Dr. A. E. Andrews, Madison, Ga.; 5 children: Robert Watkins Andrews, b. 1867 (m. Anna Roberta Flournoy above); Albert R. Andrews, b. 1869, unmarried; Haynes Cullens Andrews, m. ———; Elizabeth F. Andrews, b. 1882; Gasaway Knight Andrews, b. 1887. By 2d marriage, Robert Watkins Flournoy left Mary Louisa, b. Sept. 24th, 1859, m. James W. Bell, Pontotoc, Miss., 1876, and 4 children: Robert Flournoy, b. April 27th, 1879; Lillian Tennille, b. Aug. 20th, 1882; Mary Cobb, b. Jan'y 17th, 1885, and Rosa Wilson, b. March 21st, 1887.

Elizabeth Julia, youngest child of Robert Flournoy, the Georgia settler, b. May 25, 1815, m. Charles G. McKinley, Sept. 9, 1834, died Sunday, April 4, 1841; her children, William M. b. May 1, 1835, died infant, and Mary Elizabeth (changed to Elizabeth Julia), b. Sept. 16, 1840, died, Lexington, Ga., Apl. 25, 1845. (From the McKinley Bible, owned by Mr. C. McKinley, editor *News and Courier*, Charleston, S. C., who is of his father's second marriage.)

THE FLOURNOY-HENRYS.—Elizabeth Julia Flournoy (Henry) was the 10th and youngest child of Matthews, the Kentucky settler. The data as to his descendants will not necessarily be published in sequence, as some are completer than others, but all are comparatively finished. Elizabeth Julia, b. May 9th, 1768, in Prince Edward Co., Va., d. Nov. 21, 1813. Oct. 12, 1786, m. Wm. Henry, 4th child of Rev. Robt. Henry (of Briery Church, Prince Edward county, Va.), at Flournoy's Station, on Great Elkhorn river, now in Scott county, Ky.; had known each other in Virginia. They lived till 1800 at "Henry's Mills," which he built on North Elkhorn river, between Georgetown and Lexington, and then at "Cherry Spring" in same section, where "Cherry Spring" Presbyterian Church afterwards stood, on land given by him. In this cemetery she and others of her family lie buried. He was a conspicuous figure in the early history of Kentucky. As Major William Henry, aide-de-camp to General Wilkinson, 1791, campaign against the Indians across the Ohio; 1802, member of first Constitutional Convention of Kentucky; for most of the twenty years succeeding a member of the Kentucky Legislature; 1812, was General of Kentucky militia, and became Major-General 1st Division Kentucky troops in Canadian war; second in command to General Isaac Shelby. Members of his staff were his eldest son, Robert P. Henry, Matthews and Thomas C. Flournoy. General Henry had five sons in the war, of whom Robert P., on his father's staff, John F. Henry, surgeon, and Wm. Henry, Jr., Lieutenant of 28th Regiment, served to the close of hostilities. For gallantry at battle of the Thames, General Henry received the commendation of commanding General Wm. Henry Harrison, and a vote of thanks from the United States Congress. Children: Elizabeth Julia H., b. October 14th, 1787, d. January, 1788; Robert Pryor H., Matthews Winston H., William H., John Flournoy

H., Thomas H., Daniel H., Benjamin Franklin H., Patsy Caroline H., Patrick H., Gustavus Adolphus H., Eliza H. and Lucretia H. Robert Pryor Henry, b. November 24th, 1788, Scott county, d. August 25th, 1826; buried near Hopkinsville, Kentucky; member of Congress, 1823-1827; declined appointment as Associate Justice, Kentucky Court of Appeals, 1826; was succeeded as M. C. by his brother, J. F. H., who refused re-election after serving one full term; March 19th, 1812, m. Gabriella Francis Pitts, daughter of Rev. Josiah and Lucy Craig Pitts. She d. January, 1829. Their children: William Henry, d. at 8 years; Albert Henry, Robert P. Henry, Jr., Gabriel Francis Henry, Marius Henry and Catherine Henry. Albert, b. 1815, d. 1841; m. Elizabeth Donner, of Galena, Ill., children: Robert Donner Henry, Albert G. Henry, of whom Robert Donner Henry, b. 1838, m. Aramantia Smith, 1862, she d. December 28th, 1876; he d. May 5th, 1876; one child, Josephine S. Henry, m. Joseph H. Burke, October 7th, 1884; Mr. Burke d. September 21st, 1890. She is at Stanbury, Mo., with two sons: Ellis H., b. October 12th, 1885; Elmer C., b. April 12th, 1889. Not long after birth of Josephine S., her parents divorced; in 1872 he m. Sally ——. In 1874 she died, leaving daughter, name unknown; Second child of Albert Henry and Elizabeth Donner, Albert G. Henry, b. June 20th, 1841, living near Pleasanton, Linn county Kansas; m. January 21st, 1869, Nancy J. Evans, of Waverly, Ohio. Their children: Edith A., b. November 18th, 1869. (She married Stephen A. Thorne, January 21st, 1894, and lives in Kansas City, Mo.) John S., b. July 6th, 1874; Albert E., b. May 9th, 1880; Robert Pryor H., Jr., 3d child of Robert Pryor Henry and Gabriella Francis Pitts, b. 1817; never married, died 1844, of consumption, on Island of Curacao, West Indies; Gabriel F., 4th child, was b. in 1819, d. 1847; m. Harriet Conant, Raymond, Hines county, Miss.; one child: Josephine, b. 1846, d. 1858. Marius, the 5th child of Robert Pryor Henry and Gabriella, d. at 16; Catherine, the 6th and last child of Robert Pryor Henry and Gabriella, lived but two years.

Matthews Winston Henry, 3d child of Wm. Henry and Elizabeth Julia Henry, b. 11th Jan'y, 1790, died July 31st, 1838; March 17th, 1813, married Juliette Frances Pitts, younger sister of the wife of his brother, Robert P. Henry. Col. M. W. Henry served throughout the war of 1812-14 with Col. Campbell, of Kentucky, and was participant in Battle of Massissiniway. Their children: Elizabeth, Lucretia, Lucy, George W., Elizabeth, William Pryor, Martha Stewart, Mary Moore, Winston, died at 8 years, Gabriella Frances, Eliza U., Matthews Winston. Elizabeth and Lucretia, twins, died in infancy. The third, Lucy Henry, b. 1817, died Nov. 1893; married Warner L. Underwood of Bowling Green, Ky., children: Fanny Underwood, m. Grider, of Bowling Green, Ky; Lucy, m. McCann, California; Juliette, first m. Weston, and 2d. Long; Josie, who m. Nazero; Warner (dead), Henry, resides in Birmingham,

Ala.; Mary, m. ——— Poyntz, then Crump; John, resides in Texas. The fourth, George W. Henry, b. 1818, died 1850, m. Sarah Macey, children: Robert L., m. ——— Badger, Chicago; George, m. Florence Chrisman, Chicago; Alexander C.; Ellen, m. Graham, Illinois; seventh and eighth were twins; Martha Stewart Henry, Mary Moore, b. 1824; Martha S., m. Geo. W. Norton, Russellville, Ky., died July 18th, 1889, at Louisville, children: Ernest John Norton, b. Dec. 5th, 1847, died July 1874; m. Anne Eliza Caldwell, daughter of Dr. W. B. Caldwell and granddaughter of James Guthrie, former Sec'y of the Treasury. Mrs. Norton resides in Louisville (1894), children: Caldwell, b. Jan'y 9th, 1873, m. Nannie Stephens, 1893, and they have a son, b. March, 1895; Ernest John, b. Aug. 12th, 1875. Juliette Norton, b. ———, m. Dr. J. B. Marvin, Louisville, children: Joseph Benson, Jr., Martha Henry, Minnie Norton. Minnie Norton, m. W. B. Caldwell, Jr., brother of the wife of her brother, died 1880; Susie Norton, m. John Coleman, of Louisville, children: George Norton, Margaret, Wm. Caldwell, John, Jr., Robert Henry. Other children: Lucy Norton, Mattie Norton, Geo. W., Norton, Jr., Mary Moore Henry, dau. of A. G. H., m. 1844, Thos. J. Slaughter, of St. Louis, and subsequently of New York. Children: Henry, died in Australia, Julien, Clayton, Lucy, m. ——— Morrow, of New York City; Mattie, Mary, m. ———, died 1892; Gabriella. Tenth child Gabriella Francis Henry, m. Wilkins Wheatley, St. Louis, afterwards New York; 5 children. Eleventh child, Eliza U. Henry, born July 1835; m. W. F. O'Bear, St. Louis, Nov. 25th, 1856, children: Tom O'Bear, Frank O'B, Henry O'B, Norton, Mary, John, Robert, Julien. Twelfth child, Matthews Winston Henry, Jr., b. March 25th, 1838, m. 1875, Susie Burrell, Clark county, Va., died in New York 1877; graduate of West Point. Gen'l Hood's Chief of Artillery, C. S. A., rank of Major, children: Juliette and Dorothy.

William, 4th child of General William Henry and Elizabeth Julia Flournoy, born 26th July, 1791, died February 5th, 1847, at "Henry Hall," Christian county, Ky., where buried. In 1819 he married Cornelia V. Gano, of Georgetown, Ky., children: Richard Gano Henry, Robert William Henry, John Cornelius H., Stephen Wilkins H., Mary Margaret H., Susan Jane Elizabeth Julia, Matthews Winston, Thomas Daniel. Of these, Richard Gano Henry, b. February 8th, 1820; September, 1845, m. (1) Harriet B. McGaughey, who died August 6th, 1852, and (2) Anna K. Davis. Children of first marriage: Arthur M., who married in 1886 Mary Stowe, of Christian county, Ky., children, Robert and Julia; and (2d) Harriet Henry, m. Byrd Chambers, of Henderson, Ky., in 1876; in 1892 died, leaving Gano, Jr., Mary and Anna, of whom Mary m. Captain T. W. Richards, of Kentucky, 8th February, 1887, at house of her aunt, Mrs. R. C. Flournoy, Los Angeles, Cal., and Anna m. Lewis L. Leavell, Christian county, Ky., November, 1893, and Gano, Jr., m. Hattie Bryan, Christian county, Ky. Second child of Colonel

William Henry, Robert William, b. June 4th, 1823, d. February, 1862, prisoner of war; Major of 7th Kentucky Volunteers, C. S. A.; captured at Fort Donaldson. Married (1) Martha Douglas Cocke 16th November, 1847, died 1850; one daughter, Martha Douglas, July, 1868, m. Colonel L. A. Sybert. Five daughters: Annie, Margie, Sarah Moore, Lee, Susan Jouett. Robert William Henry m. (2), in 1854, Fannie S. Bell, of Christian county, Ky. Children of second marriage: Margaret Short, m. Birch A. Wormald, of Louisiana, August, 1882; he died 1894; and Robert William H., who married Maude Johnson in July, 1886; 1888 died, Hopkinsville, Ky. Third child of William Henry and Cornelia V. Gano was John Cornelius, b. 4th March, 1828, in Christian county; removed to California in 1849; representative in Legislature; joined expedition under General William Walker against Sonora, was captured and shot. Fourth child of William Henry and Cornelia V. Gano, Stephen Wilkins, b. September 23d, 1829; February, 1858, he m. Sallie Buckner, Kenton county, Ky.; live at Erlanger, Ky. Children: Annie E., b. January, 1859, m. Rev. T. J. Potts in 1884, Dallas, Texas, and John C. Henry, b. 1861, died June, 1893. Fifth child of Colonel William Henry and Cornelia V. Gano, Mary Margaret, b. 25th June, 1832, died October 29th, 1885; married Charles Tandy, Esq., Hopkinsville, Ky., in 1862; he died October, 1877, children: Elizabeth Edmunds Tandy, married Meacham, of Hopkinsville, Ky., in 1883, and Charles Henry Tandy. Sixth child of Colonel William Henry and Cornelia V. Gano, Susan Jane Elizabeth Julia, born November 18th, 1835, married Thomas Burbridge, of Georgetown, Ky., in 1855. Her husband killed December, 1867, in political street rencounter. She appointed Post-Mistress at Hopkinsville, Ky., by President Grant, children: William Henry Burbridge, R. Ewing B., Thomas B., Charles B., Mary B., Clarence B., of whom William Henry killed in accident on Charleston and Savannah R. R. in 1882. Mary married Walter Cook, of Christian county, July, 1881. R. Ewing married Annie Ware, of Miss., January, 1882. Tom married Leandra Armstrong (neé White), of Hopkinsville, in 1883. Seventh child of Colonel William Henry and Cornelia V. Gano was Matthews Winston Henry, born March 3d, 1839; May 2d, 1860, he married 1st Mary A. Bell, daughter of Dr. John F. Bell, of Christian county; she died August 3d, 1876. 2d Mollie Garnett Major, November 15th, 1882. Children, 1st wife: Eliza Belle Henry, Willie H., who married, April 28th, 1880, Thomas U. Smith, Todd county, Ky., and they have son, Mack Jay Smith; Cornelia H. and Mary Clarke H. Eighth child of Colonel William Henry and Cornelia V. Gano, Thomas Daniel H., b. 22d January, 1843, d. January 3d, 1878. Soldier in Morgan's Cavalry, C. S. A.; died in southern California, 1877.

John Flournoy Henry was 5th child of General Wm. Henry and Elizabeth Julia Flournoy, b. 17th January, 1783, d. November 12th, 1873; m. May 7th, 1818, Mary Wilson Duke, b. 10th February, 1797, daughter of

Dr. Basil and Charlotte Duke, of Washington, Mason county, Ky, they had one child, Elizabeth Julia, b. 17th March, 1819, who d. 13th September, 1821. Mrs. Henry d. September 26th, 1821, in Perry county, Mo., and 1st January, 1828, Dr. Henry married Lucy Stringer Ridgely, Lexington, Ky., daughter of Dr. Frederick Ridgely. Children: Mary Duke, b. 31st October, 1831, d. 13th April 1832; William, b. 14th March, 1833, d. 25th June, 1834; Greenberry Ridgely, b. 21st September, 1828, d. 14th May, 1885; m. October 16th, 1850, Kate Chambers, daughter of General George Chambers, of Jacksonville, Ill. Children: Lucy Ridgely Henry, b. August 6th, 1851, d. December 6th, 1860; George Chambers H., b. August 2d, 1853, druggist, Burlington, Iowa; Nelly C. Henry, b. May 1st, 1855, d. January 3d, 1861; Mary S. Henry, b. October 15th, 1861, m. Geo. H. Tousey, December 21st, 1881, residing in Chicago (1894); John Flournoy Henry (3d), b. January 18th, 1864; editor, Burlington, Iowa; Robert Logan Henry, b. February 5th, 1869, d. July 19th, 1888; Mary Belle Henry, daughter of J. F. H., 1st, b. 16th August, 1835, m. November 25th, 1856, George Robertson, d. August 21st, 1894; Mr. Robertson, b. Jessamine county, Ky., May 9th, 1831, d. September 6th, 1884. Children: Mary Belle, b. November 20th, 1857; Elizabeth Julia, b. March 11th, 1862; Flora, b. May 16th, 1866, and d. April 28th, 1871; George Angus, b. May 21st, 1872. John Flournoy Henry (2d) son of J. H. F., 1st, b. 22d June, 1839, m. September 30th, 1869, Mary Churchill Richardson, daughter of Wm. Allen Richardson, "Ivywood," near Louisville, Ky., children: Violet Flournoy Henry, b. January 18th, 1871; Lucy Ridgely Henry, b. May 12th, 1876. (He has done the labor of the compilation of the entire Mathews Flournoy line.) Flora Henry, daughter of J. F. H. (1st), b. 19th September, 1842, d. 8th June 1862.

Thomas was sixth child of Gen'l Wm. Henry and Elizabeth Julia Flournoy, b. 22d Dec. 1794. He served throughout the war of 1812-14. Farmer, m. 15th July, 1819, Susan Dudley, of Christian county, Ky; she died Sept. 25th, 1834, children: Robert Dudley, died infant; William Lounds, died young; Lafayette, died young; Peter Dudley, died minor. Thomas Henry, m. 2d, Mary Ford April 15th, 1841; no children; died Oct. 11th, 1841; she died 1875.

Daniel was seventh child of Gen'l Wm. Henry and Elizabeth Julia Flournoy, b. 8th June 1796, died 12th July, 1837. In 1819 he m. Eliza Viriles Gano, younger sister of wife of brother William. After birth of first child, Eliza Viriles, the mother, died August 1821; in April, 1824, Daniel Henry m. Lucy W. Green, of Christian county, Ky., children: Lucy, Thomas Green, Mary Green and Elizabeth Flournoy. In 1837 Daniel Henry died of consumption; only child by first marriage, Eliza V., m. Edward R. Edmunds, of Christian county, children: Henry and Edward, died young, and Eliza Henry E., m. Nov. 10th, 1867, in Hopkinsville, Ky., Capt. Wm. P. Wallace, from Louisville, children: Arthur H., Willie Jean

and Randolph, all living in San Francisco, Cal. (1894). Lucy, second child of Daniel Henry, m. Jack Nelson, Columbus, Ky., soon after died of scarlet fever. Thomas Green, third child of Daniel Henry, physician, Hopkinsville, Ky.; m. Kate Mansfield in 1856, died March 27th, 1867, at Hopkinsville, Ky., children: Jouett, Kate, and Lucy, who died 28th Aug., 1890. Mary Green, fourth child of Daniel Henry, m. 16th Feb'y, 1859, Geo. A. Champlin, of Hopkinsville, an attorney of prominence. Children: Green and Carrie, latter died July 22d, 1883. Elizabeth Flournoy, fifth and last child of Daniel Henry, died young.

Benjamin Franklin, eighth child of Gen'l Wm. Henry and Elizabeth Julia Flournoy, b. December 28th, 1797, died Jan'y 6th, 1798.

Patsy Caroline, ninth child of Gen'l Wm. Henry and Elizabeth Julia Flournoy, b. June 28th, 1799, died Oct. 14th, 1814.

Patrick, tenth child of Gen'l Wm. Henry and Elizabeth Julia Flournoy, b. July 24th, 1801, died at Brandon, Miss., March 14th, 1864; 17th of April, 1823, m. (1) Elizabeth Duke Taylor, children: Edmund Taylor, Benjamin Wilkins, Patrick, Julia and Elizabeth Jane; wife died June 1838; Patrick Henry m. (2) 7th April, 1842, Betty Claiborne West, of Christian county, Ky., children: Patrick, Virginia Louise, Gustavus Adolphus, William, Betty Claiborne, John Flournoy, Robert Pryor and Irene. Edmund Taylor H., born 24th August, 1827; m. Louise C. Forbes in 1852, died April 1881, she died July 10th, 1870, children: Louise, who m. James C. Cowan, they have one daughter, Louise; Lizzie m. Horace Marshall, they have daughter, Elsie Leigh; Marion m. H. C. Yeager, has twin boys; Patrick, attorney of Vicksburg, Miss; Gertrude, died infant. Second child of Patrick Henry and Elizabeth D. Taylor was Benjamin Wilkins, b. Nov. 27th, 1829, m. Susan G. Alfred in 1850, child: Susan G. who m. Robert Rosmer Parker, of Brandon, Miss., about 1870. The mother died shortly after the birth of this child. May 20th, 1853, Benjamin Wilkins Henry, m. Susan Randolph, daughter of Thos. Randolph, Vicksburg, children: Tom Randolph, m. Anna Greaves, has daughter, Sudie Parker Henry; Benjamin W., m. Lane about 1892; Mary b. 1859; Bettie b. about 1862, m. Capt. W. A. Montgomery, of Edwards, Miss.; Louise, b. 1873, m. J. R. Deedrich, Newton, Miss. Patrick, third child of Patrick Henry and Elizabeth D. Taylor, b. 1833, died 1835. Elizabeth Julia, fourth child of Patrick Henry and Elizabeth D. Taylor, b. 1834, died infant; Elizabeth Jane Henry, last child by first marriage, was b. 18th August, 1837, died 16th Nov. 1838. Patrick, first child by his 2d marriage, b. 12th Feb'y, 1843; Feb'y 10th, 1874, m. Margie E. Cocke, Brandon, Miss., children: Robert Pryor, Tom Cocke, Edmond Taylor, Patrick and Annie. Their father a promising lawyer, Brandon, Miss., Assistant U. S. District Attorney, was First Lieutenant Co. "B," 6th Miss. Regiment, C. S. A., afterwards Major 14th Miss. Light Infantry. Virginia Louise, second child of Pat-

rick Henry and Betty C. West, was b. 1845, died 1847. Gustavus Adolphus, third child of Patrick Henry and Betty C. West, was b. 1847, died 1852. William, fourth child of Patrick Henry and Betty C. West was b. 8th May, 1849; m. Dora Lowry, daughter of Governor Lowry, of Mississippi, April 27th, 1871; no children. William Henry, Mayor of Jackson, Miss., in 1888, subsequently Adjutant-General of State, which position he held throughout administrations of Gov. Lowry and Gov. Stone. Betty C., fifth child of Patrick Henry and Betty C. West, b. 8th June, 1852; m. Robert S. Maxey, of Brandon, in 1877. Children: Irene, Bessie, Robert, Virginia, Clifton, Margie. John Flournoy, sixth child of Patrick Henry and Betty C. West, was b. about 1854; removed to farm near Morton, Miss., and resides there, unmarried. Robert P., seventh child of Patrick Henry and Betty C. West, was b. Jan'y, 1856, died on 18th birthday. Irene, eighth and last child of Patrick Henry and Betty C. West, was b. 1858, m. Dr. Tom R. Pettway, of Chotard, Issaquena county, Miss.; three daughters.

Gustavus Adolphus, eleventh child of General William Henry and Elizabeth Julia Flournoy, was born October 8th, 1804, died September 11th, 1880; was prominent first in Kentucky and afterwards in Tennessee politics, and in the political parlance of the day was known as "the eagle orator of the South." February 17th, 1833, m. Marion McClure, of Clarksville, Tenn., where he afterwards lived. She died 21st January, 1882, children: Susan, Thomas Frazier, John Flournoy, Gustavus Adolphus, Marion, Benjamin Franklin, Patrick. Marion and Benjamin Franklin died in infancy. Susan. b. 1834, m. 1855, George D. Martin, son of Judge Abe Martin, of Tenn. At her death, November 27th, 1880, her living children were: Mortimer Abe Martin, Marion Martin, George D. Martin, Jack Flourmoy Martin, Gustavus Adolphus Martin, Walter Drane Martin and Susan Henry Martin. Mortimer Abe m. Marguerite Josephine Blackburn, daughter of R. B. Blackburn, in Desha county, Ark., January 26th, 1892; they have 1 child. Others unmarried. Second child of Major Gustavus A. Henry and Marion McClure, Thomas Frazier, b. November 30th, 1835, was chief of ordnance, rank of Major, General Frank Cheatham's staff, C. S. A. November 14th, 1867, he m. Louise M. Barker, of Montgomery county, Tenn., children: Ellen Morris, Gustavus A. Thomas F. Henry d. November 25th, 1886. (In 1889 his widow m. Dr. Bailey, of Clarksville. They have no children.) His daughter, Ellen Morris, m. Rev. John H. Boyd, of the Presbyterian Church, on November 13th, 1889, residing in Charlotte, N. C. (1894), and children: Tom Henry and Louise Bailey Boyd. Gustavus A. Henry, lawyer in Houston, Texas (1894), unmarried. The third child of Major Gustavus A. Henry and Marion McClure was John Flournoy Henry, b. April 7th, 1837; was graduated at Lebanon, Tenn., Law School, 1859; lived at Memphis, Tenn., until the war; was Major of 4th

Tennessee Infantry, C. S. A.; wounded at the battle of Shiloh and died. The fourth child of Major Gustavus A. Henry and Marion McClure was Gustavus A. Jr., b. 16th September, 1838; farmed in Arkansas until commencement of hostilities with the United States. After the surrender m. Ella Walker Winston, of Tuscumbia, Ala. Colonel Henry died 3d December, 1883. His widow m. Dr. G. A. Thornton, of Memphis, in 1887; no children. The fifth child of Gustavus A. Henry and Marion McClure was Patrick, b. August 31st, 1846; was graduated from Virginia Military Institute in 1867; 1871 he m. Ellen Barker, sister of the wife of his brother, Thomas F.; no children. She died 1890; he is now living in Clarksville, Tenn.

The two youngest children of General William Henry and Julia Flournoy, Eliza, born July 22d, 1805, died November 18th, 1805, and Lucretia, born October 1st, 1808, died October 9th, 1811.

(TO BE CONCLUDED.)

THE TODD FAMILY.

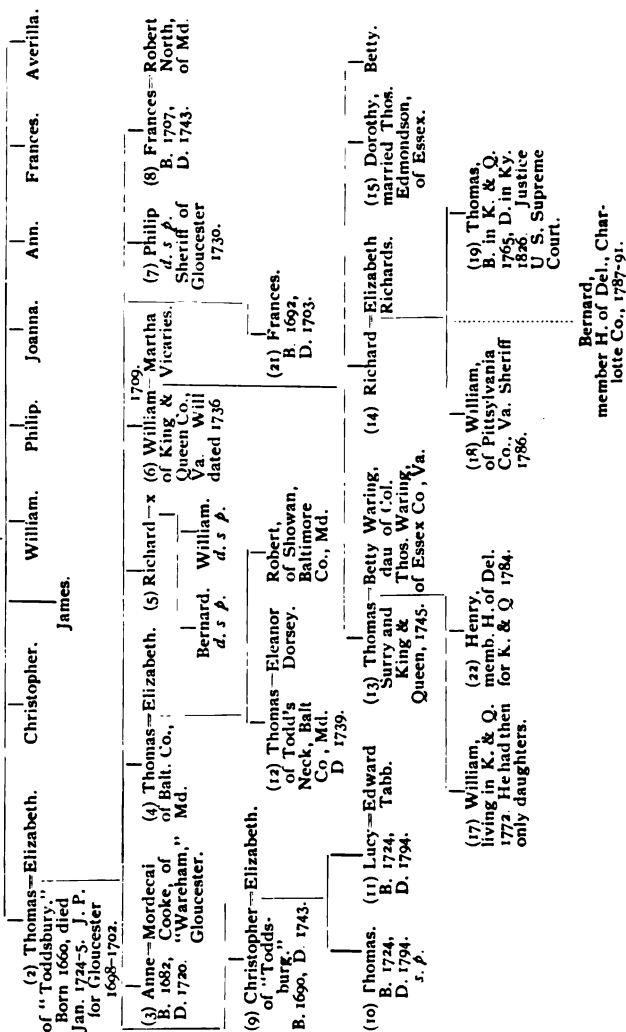
By W. G. STANARD.

There has been frequent inquiry in regard to the genealogy of the Todds of Gloucester, and as the matter has lately been satisfactorily cleared up, it will be of some interest to publish a brief account of the family. Below is given a chart pedigree of that portion of the family which can be traced on undoubted authority. The numbers refer to the authorities, which are also printed below. Dotted line indicates conjectural descent.

PEDIGREE CHART.

(1) THOS. TODD-ANN GORSUCH. (20)

of "Toddsbury," Ware Parish,
Gloucester Co., Va., and Balti-
more Co., Md., where he settled
in 1664; Burgess for Baltimore
Co. 1674-5; died at sea 1676.



AUTHORITIES.

(1) Thomas Todd patented land in Elizabeth City county in 1647, and in Gloucester in 1664. (Land Books of Virginia.)

The will of Thomas Todd, of North parish, Patapsco river, Maryland, dated 1675, proved May 30th, 1677, makes his son, Thomas, sole executor; gives wife, Anne, £400 sterling, now in the hands of Alderman Richard Booth, in London, and £170 sterling in the hands of Mr. Robert Gorsuch, and also a parcel of land in old England, also in the possession of Robert Gorsuch; legacies to his four daughters by name; to his brother, Christopher, money and 700 acres on Chester river.

There is filed with the will a copy of a letter from Thomas Todd, Sr., dated April 1st, 1676. He was then on board the ship Virginia, bound for England, and was "very riche." It is addressed: "There for my son Thomas Todd at his house on the North River [Gloucester Co.] with all speed."

Thomas and Christopher Todd were probably sons of Robert Todd, who is mentioned in the records of York county, Virginia, in 1642, and who bought land in Gloucester in 1652. His eldest son, William Todd, patented 500 acres in Gloucester in 1666.

(2) Thomas Todd's epitaph at Toddsbury is printed in the *William and Mary Quarterly*, III, 116. See also *Hening*, v, 395, vii, 483, viii, 631. There is recorded in Maryland, December 12th, 1683, a division between Charles Gorsuch and Thomas Todd, of Gloucester, of a tract of land purchased by said Gorsuch and Captain Thomas Todd, deceased, father of said Thomas Todd, of Gloucester.

(3) Her epitaph at Wareham, see *William and Mary Quarterly*, II, 224.

(4) His will, dated January 11th, 1714-5, was proved in Baltimore county, Maryland, June 11th, 1715, and in Essex county, Virginia (where he had an estate), on September 23d, 1715. His widow, Elizabeth, presented it for probate. He styles himself Thomas Todd, the younger, of Baltimore county, Maryland; divides his lands between his sons, Thomas and Robert, and in case of failure of their heirs, it is to revert to his brothers, William, Philip and Christopher Todd. "I will that the tract of land I lived on in Virginia be held of [by] him that my father shall give his dwelling plantation to, in the same right that my father gives the plantation to, on condition that my father gives what personal estate he has in Maryland over and above one equal part of his Estate elsewhere, to me and my heirs;" to son, Thomas, all rings, sword, plate, books and surveying instruments; to brother, William, and Martha, his wife, rings; remainder of his estate to his wife and children. His father to be guardian of his two sons. Appoints Richard Colgate and James Phillips executors in Maryland, and brother William Todd

and Jonathan Hide executors in Virginia. There is also recorded in Essex a power of attorney, dated 1715, from Thomas Todd, of Gloucester, to Robert Beverley, to act in his behalf as executor of his son, Thomas Todd, of Baltimore county, deceased.

(5) *Hening* v, 395-6; viii, 632.

(6) *Hening* vii, 483; v, 395-6; viii, 57, 632.

(7) *Hening* vii, 483; v, 395-6; viii, 631. And for commission as sheriff, *Council Journal* 1730.

(8) The North family bible contains the following entries of Robert North, son of Thomas and Ellen North, of the parish of Whittington, in the county of Lancashire, in Great Britain, was married to Frances Todd, daughter of Thomas and Elizabeth Todd, of the Colony of Virginia, the second day of July, Anno Domini 1729. "Frances North, wife of Robert North, departed this life July 25, about 9 o'clock, 1745."

Mrs. Frances Todd was buried at St. Thomas, Md., where her tomb remains with the following inscription: "Here lyeth the body of Frances North, wife of Robert North, who departed this life July 25, 1745, in the 36th year of her age."

(9) *Hening* v, 395. Epitaph of "Toddsbury," see *William & Mary Quarterly*, III, 116.

A copy from the entry in the old Todd bible (now lost) gives different dates, and states he was born April 2, 1689, and died March 26, 1742. The same authority states that his wife, Elizabeth, was born April 25, 1701, and died November, 1764.

(10) His epitaph at "Toddsbury" is as follows: "Thomas Todd, son of Christopher and Elizabeth Todd, born November, 1724, departed this life 18th February, 1794." He was probably the Thos. Todd who was member House of Delegates, 1791.

(11) Epitaph, *William & Mary Quarterly* III, 119.

(12) His will, December 9, 1736, was recorded at Annapolis, April 2, 1739, devises to his three daughters Elizabeth, Eleanor and Frances, a tract of land called Showan Hunting Grounds; to his youngest daughter, Mary, he devises "Todd's Industry," in Patapsco Neck, and also a tract called Whirwell's Neck, and all "my land where Thos. Jones now lives, known by the name of Cuckold's Point, and my land at the island, called Todd's Island—personal estate to his son Thomas, and four daughters.

An old record shows that he married Eleanor Dorsey, who married (2) Wm. Lynch. Her will was proved 1760, and she left, by her first marriage: I. Thomas; II. Elizabeth m. John Cromwell; III. Eleanor m. John Eusor; IV. Frances m. 1757, George Ristean; V. Mary m. Worthington.

(13) *Hening* vii, 484; v, 396; viii, 57. Col. Thos. Waring, of Essex.

in his will, dated 1748, and proved 1754, names his daughter Betty Todd, and appoints Thos. Todd as executor. It appears from a deed, dated 1744, and recorded in Essex, that Betty, daughter of Thos. Waring, was then the wife of Thos. Todd, of King & Queen.

(14) *Hening* viii, 57.

(15) Thos. Edmundson, of Essex, in his will dated 1757, says that his late wife Dorothy, was the daughter of Col. Wm. Todd, who left her a tract of land in Orange county.

(17) *Hening* vii, 484; viii, 632.

(18) Statement by member of the family.

(19) Statement by member of the family and published accounts.

(20) The Maryland records show that she was the sister of Charles, Richard, Lovelace and Robert Gorsuch, who settled on the Eastern Shore of Maryland. The Quaker records of West River, Md., show that Charles Gorsuch, son of John and Anne Gorsuch, of the Kingdom of England, deceased, married in 1690, Ann Hawkins, of Md. The *Visitation*, of London, 1653, shows that Rev. John Gorsuch, rector of Walkhom, Hertfordshire, married in 1628, Anne, daughter of Sir Wm. Lovelace, and had issue in 1633: I. Daniel, aged four; II. John; III. William; IV. Catherine; others born later. In the County Court of Lancaster, Va., April 7th, 1657, Richard, Robert and Charles Gorsuch, sons and co-heirs of John Gorsuch, "P'fessor in Divinity," petitioned the court that Francis Moryson, Esq., might be their guardian. At December term of the same court, Charles Gorsuch, aged 14, chose his brother, Robert, as guardian. There can be no doubt that this Rev. John Gorsuch was the rector of Walkhom, who, perhaps, had been evicted by Parliament.

On January 13th, 1676-'7, Mrs. Anne Todd made a deed of her property to her children, and appointed her brother, Charles Gorsuch, trustee. In 1669, Charles and Lovelace Gorsuch confirm the title of certain lands granted to Lovelace in 1661.

(21) Epitaph, *William and Mary Quarterly*, III, 115.

(22) *Hening* vii, 633.

HISTORICAL NOTES AND QUERIES.

WILLIAMSBURG, VA., JUNE 8TH, 1895.

Editor of Virginia Magazine of History, Etc.:

SIR,—In your issue of April, Mr. J. T. McAllister corrects the list of the counties as furnished by Hon. R. S. Thomas thus: "Gloucester was formed from York in 1642, not 1652." Your correspondent is certainly wrong about this. The York and Patent Books constantly refer to lands on the north side of York river as in York county long subsequent to 1642. After the massacre in 1644, the settlements were withdrawn from the north side of York river, and by the treaty with Necotowance, in 1646 (*Hening*, I, p. 324), to go on the north side was constituted a felony. Permission to seat on the north side was not granted till October, 1648 (*Hening*, I, p. 353). Gloucester county was represented for the first time in the House of Burgesses in 1652, and it could not have been formed into a separate county much earlier. It was probably formed in the early part of 1651, as there is a grant that year locating lands in "Gloucester County."

Mr. Thomas is, however, clearly in error in asserting that Surry was formed out of Isle of Wight. Surry was formed out of James City county. This is shown by the grants in the land office which locate places on the south side of the James in James City county, until 1652, when Surry is represented in the Legislature for the first time. In *Hening Statutes*, I, p. 342, Collectors of the Revenue were appointed in 1647 as follows:

"for James City County—Captain Robert Shepheard from Lawnes creek to Sunken Marsh, including Hogg Island. Mr. George Jorden from Hogg Island to Upper Chippoakes. Capt. Bridges freeman for Chickahominy and Sandy Poynte. Mr. Lancelott Elay for the mayne Powhatan and James City Island. Mr. Richard fford for Necke of Land to Wareham's Runns. Mr. Peter Ridley for Martin's Hundred and this side of Keth's creek."

The bounds of the first two precincts coincide exactly, I believe, with the present Surry county. Lawn's creek is the present boundary line between Surry and Isle of Wight, showing that Surry was not taken from Isle of Wight. In November, 1647, the Legislature created the country on the south side, between a creek still known as College creek and Upper Chippoakes, into a parish independent of "James City" parish. This was the beginning of Surry's autonomy. But the parish was still assessed for the minister at James City, and for finishing and repairing the church at Jamestown, begun in 1638.

I think it improper to assign, as Mr. Thomas does, the date of 1691 to Norfolk county. That is the date of the formation of Princess Anne. But the act declares that the other county mentioned at that time should "retain" the name of Norfolk county. The act divided "Lower Norfolk county" into two, but Norfolk county, was nothing more than "Lower Norfolk," reduced by Princess Anne. There had once been an "Upper Norfolk county," but that county had long been known by the name of Nansemond, and it was felt in 1691 that it was useless to retain the adjective "Lower." The books in the clerk's office at Portsmouth begin in 1637, and the land patents locate land in Norfolk county and Nansemond county, in Elizabeth City county till that year. Neither Lower Norfolk nor Upper Norfolk were taken from Isle of Wight, as Mr. Thomas asserts, in a recent letter to the papers.

L. G. TYLER.

VIRGINIA VESTRY-BOOKS AND PARISH REGISTERS.

At our request, Mrs. Sally Nelson Robins, Assistant-Librarian of the Virginia Historical Society, who has recently made an examination of the Vestry-Books and Parish Registers in the library at the Episcopal Theological Seminary, near Alexandria, has written for the Magazine the following brief account of their number, titles and condition:

"The Vestry-Books and Parish Registers in the library at the Episcopal Theological Seminary near Alexandria, contain an immense amount of fragmentary historical data, which, if accessible, would be a benefit to students of Virginia History. Many of these old books were used by Bishop Meade when he was writing his "Old Churches and Families," and, at his death, were deposited at the Seminary. Some of them have been put there in later years. They are most carefully guarded. They lie in an old-fashioned 'cupboard,' in a quaint stone loft in the pretty gothic library, which is a detached building, near the Seminary. Many unpublished facts are contained in these old books. Many of the books are in excellent preservation. Some are very yellow, and the ink is almost the color of the paper; some are so dry that as one turns a leaf, bits of the page fall off like dust.

"The Register and Vestry-Books of Christ Church, Middlesex, cover a period when that county was full of wealthy planters, and are extremely interesting and valuable. They are well preserved. The Kingston (Gloucester) Parish Register, the Vestry-Books of St. Peter's (New Kent); then Charles River (York) Vestry-Book and the Vestry-Book of Pettsoe or Pettsworth (Gloucester), contain facts which might supply broken links in the great chain of truth which our earnest Virginia students are striving to find. These books have been bound recently,

and the name of each carefully marked in gilt on the back of each volume."

The following is a list of the old manuscripts:

The Christ Church (Middlesex) Parish Register covers the period between 1685-1803; Vestry-Book, 1663-1767. New Kent Register (St. Peter's), 1734-1774; Vestry-Book, 1686-1758. New Kent (Blissland Parish) Vestry-Book, 1722-1774. Albemarle Parish, Sussex (Vestry-Book), 1742-1784. St. Paul's Parish, Hanover (Vestry-Book), 1705-6-1785. Charles River Parish Register (York county), 1665-1800. Pettsoe or Pettsworth (Gloucester) Vestry-Book, 1677-1783. Lancaster Vestry-Book, 1739-1797. St. James', Northam, Goochland (Vestry-Book), 1744-1774. St. George's Parish, Spotsylvania (Vestry-Book), 1746-1817. Upper Parish, Nansemond county (Vestry-Book), 1744-1791. Shelburne Parish, Loudoun county, 1771-1805. Kingston Parish, Gloucester, Parish Register, 1679-1792. Lexington Parish, Amherst, 1779-1880. St. Mark's, Culpeper (Vestry-Book), 1730-1784. Vestry-Book, Fredericksvale Parish, Louisa county, 1742-1785. Lunenburg Parish, Richmond county, Va., 1722-1799 (Vestry-Book). Abingdon Parish, Gloucester Register, 1677-1780.

"These books, especially the early ones, are priceless, and any effort which will put them in a permanent form, and at the same time make them accessible to students, will be laudable and of great service to posterity."

THE ORIGIN OF THE NAME "CHESAPEAKE."

Mr. William Wallace Tooker, of Sag Harbour, Long Island, who is well-known for his valuable contributions on the subject, among others, of the origin of the Indian names of localities, has, at our suggestion, prepared the following with reference to the origin of the name "Chesapeake" as applied to the Bay:

Heckewelder in his "Names which the Lenni Lennape or Delaware Indians gave to Rivers, Streams and Localities within the States of Pennsylvania, New Jersey, Maryland and Virginia, with their significations" (Trans. of the Mar. Hist. Soc., 1872, p. 275), says: "*Chesapeake* corrupted from *Tschiswapeki*, or *K'tschischwapeeki*, compounded of *Kitschi*, signifying, highly salted, and *peek*, a body of standing water, a pond, a bay."

Dr. J. Hammond Trumbull, the eminent Algonquian scholar, agrees with Heckewelder in the above interpretation, and further remarks (Hist. Mag., Vol. 7, 2d Series 1870, p. 48): "*Chesapeake*,—written *Chesapeack*, *Chesupioca*, *Chissapiacke*, etc.,—is the equivalent of the Massachusetts '*K'che-seippog*,' Abnaki '*K'tsi-sou-bekou*, great salt water, great sea or bay.'"

In searching for facts relating to the first appearance of the term in the pages of history, and its early forms of spelling, abundant historical data can be found, which reveals the fact that the above very laborious process of derivation is an error, and that the name in its aboriginal sense and bestowal, like the great number of the Virginia names of Smith, did not belong originally to the body of water which now retains the name.

There is probably no necessity in searching for any earlier form of the name (it is doubted if an earlier one can be found) than that occurring on the map accompanying "Hariot's Narrative of the First Plantation of Virginia in 1585," where we find the name designating a village or territory of a tribe, and there misprinted *Ehesepiooc* for *Chesepiooc*, the form given to the bay which bounds the country on the north. Sir Ralph Lane, the commander of Sir Walter Raleigh's Roanoke Colony, says (Arber's Smith, p. 312.): "To the Northward; our farthest was to a Towne of the *Chesapeacks*, from *Roanoack* 130 myles." Smith also says (*Ibid*, pp. 51 and 347): "The *Chesapeacks* are able to make 100 [men]. Of this last place, the *Bay* beareth the name." From these quotations, which can be further multiplied, it will be observed, that the term designates the locality where these Indians lived and not the bay. Again the name in its locative termination *ack*, shows it to have been applied originally to "land, place or country" and not to a body of water. The terminal generic *peck*, of Heckewelder, which denotes "standing-water or water at rest, a pond," would never have been used by an Indian to describe the turbulent waters of *Chesapeake* Bay. Neither does the term contain the radical for "it is sour, or salt," as used dialectically by the Indians of that section. Now the question arises, what are the phonetic elements, as embodied in its early notations? Hariot's map gives us *Chesepi-ooc*; Percy (Arber's Smith, lxi.), *Che-supi-oc*; Smith (p. 5), *Chisiapi-acke*; (19), *Che-sipi-acke*; (346), "Brooke of *Chi-sape-ack*;" (430), "we sayd up a narrow river up the country of the *Chi-sape-ack*;" etc., etc. The prefix *che*, is undoubtedly, as Dr. Trumbull suggests, the equivalent of the Massachusetts *K'che* "great." The second component *sepi*, *supi* or *sipi*, however, is not "salt-water," but the parallel of the Massachusetts and other Algonquian dialects *sepu*, or *seip* "a river," which with its locative affix *ack*, "land or country," gives us a synthesis of *K'che-sepi-ack*, "country on a great river." Newport's (Arber's Smith, p. xliv.) *Ches-sipi-an*, "people of the great-river."

It must be remembered, that to an Indian's mind, his own country and possessions were always greater than others in the same neighborhood, and the "Brooke (or creek) of *Chi-sape-ack*," or Elizabeth river (?) as it is now called, where Lane found their principal town located, was the largest stream of their country. The name was bestowed by the English

on the bay without regard for its signification, and as such handed down to the present day by various cartographers and historians.

WM. WALLACE TOOKER.

SEPARATE ESTATE OF MARRIED WOMEN IN VIRGINIA.

The following, contributed by Mr. Flournoy Rivers, of Pulaski, Tennessee, is an early instance of the "Separate Estate" of married women:

"Articles of Agreement made and concluded upon between John Camp of Lunenburg county and Judith Wagstaff, Relect of Frances Wagstaff, deceased, of the same county.

To all to whom these Presents shall come, Greeting: Know ye that we the said John Camp and Judith Wagstaff have agreed to enter into the holy state of matrimony w'h each other, and as touching each of our estates that we are now in actual possession of and to prevent confusions and disturbances that may or might arise hereafter, we the said John Camp and Judith Wagstaff do by these presents agree to, and w'h each other, that each of us shall and may from time to time and all times hereafter, peaceably and quietly have, hold, occupy, possess and enjoy our said estates separately as if we had not have been married to each other, and that no right, property claim or demand shall be vested in either of us by virtue of our said marriage in regard to our estate as we now possess, but that each of us shall have full power, right and authority to make sale, bargain for and dispose of all or any part of our said estates as we now enjoy at the signing, sealing and delivery of these presents."

Witness our hands and seals this 12th day of September, 1760.

JOHN CAMP, L. S.
JUDITH WAGSTAFF, L. S.

Signed, sealed and delivered in presence of

BAZZELL WAGSTAFF,
his
WILLIAM X DUNSFORD,
mark
NICHOLAS MAYNARD.

[See Deed-Book, Lunenburg county, Va., No. 7, pp. 26. 27.]

THE SPIRIT OF '76.

We are indebted to Dr. W. J. Pettus, U. S. Marine Hospital service,

Buffalo, N. Y., for a copy of the following letter, the original, now in possession of Mrs. Ann Pettus, Eastham, Louisa county, Va., having been addressed to Captain William Pettus:

GLOUCESTER CO. HOUSE, MARCH 30TH, 1776.

D'R SIR,

According to promise I write to let you know that I arrived here last Thursday after a tedious march. Next week our company are to proceed to a place call'd the East Ware Houses about 15 miles below, and from thence across the Bay to the Eastern Shore, where I suppose we shall be stationed for some time. You may have heard of the hardships of War, but don't believe one word of it. We are in high spirits and must remark that our officers scorn to effeminate themselves so much as to sleep in a feather bed, but cheerfully wrap up in a blanket & take their repose on the floor even among the common men. Their behaviour has won the hearts of all, and if we are without superfluities, we are at the same time above the want of them. The cry is War! War! War! Conquer or die. The Governor lies off Hampton Roads and his tenders are very busy in the Bay, but I have not heard of any captures he has made lately. I hope you'll have a good acc't of him soon. Present my Duty to my parents and love to my brothers & all my Relations & acquaintances.

I shall write by every opportunity when anything worth your notice occurs.

Sir I desire you will believe me to be with the greatest Respect

Your Ob't Serv't,

THOMAS OVERTON.

P. S. Samuel Pettus is well.

DUELLING IN ANCIENT VIRGINIA.

(Contributed by Edward W. James.)

"PRINCESS ANNE.—At a Court held the third February ano: 1730:

"Pr'sent: Anthony Walke, Christopher Burrough, Jacob Ellegood, George Kempe, Robert Vaughan, Thomas Haynes, gent Justices.

"Reodolphus malbone Sumoned to answe're the Complaint of Solomon white, gent, one of his majesties Justices of the peace for challenging him ye Said Solomon with Sword & pistoll & other misbehaviour, likewise ye presentment of the grand jury to ye Same purpose, appear'd and not making any Just or Lawfull Excuse its therefore considered & by the Court ordered that ye Sherrif take ye Said Reodolphus into his Custody till he give bond in ye sum of fifty pounds currant money with Security for his good behaviour for twelve months & pay costs."

PRIZE ESSAY.

A friend of Brown University has offered the sum of \$200, as a prize to encourage the historical study of the development of religious liberty in America. The following regulations respecting its award are proposed:

1. The prize shall be open to general competition.
2. It shall be given to the writer of the best essay on one of the three following themes:
 - (a.) A critical comparison of the claims put forward, on behalf of Rhode Island and Maryland respectively, regarding the first establishment of religious liberty in America.
 - (b.) A critical history of the movement toward disestablishment and religious liberty in Connecticut.
 - (c.) A critical history of the movement toward disestablishment and religious liberty in Massachusetts.
3. No essay shall be received which is not founded upon original research.
4. The prize shall be awarded at commencement, 1896; essays submitted in competition for it shall be placed in the hands of the President of Brown University on or before May 1, 1896.
5. The essays shall not bear the writer's name, but an assumed name. A paper bearing the writer's real name shall be enclosed in a sealed envelope, upon which shall be written the assumed name, and which shall be handed in with the essay.

BROWN UNIVERSITY, *May 20, 1895.*

HORSE MEAT.

(Contributed by Major Peyton R. Carrington.)

Att a Court held at Varina for ye County of Henrico, June 2d, 1690, Capt. Wm. Soane to this Court peticoning for a License to keep Ordinary at Varina, his s'd peticon is granted, & he is hereby Authorized, Lycensed & p'mitted to sell all sorts of Liquors ꝓ Retail at Varina afores'd w'th Provisions, horse meat, &c: ꝓ Ordinary keepers accustomed; Provided that he give bond and security as ye law enjoyns.

Mr. Pet. Field & Henry Randolph enter themselves Securitys for Capt. Wm. Soanes legall keeping of an Ordinary.

THOROUGHGOOD—CHANDLER.

Editor of Virginia Magazine of History, &c.:

SIR,—In the article, "Abstracts of Virginia Land Patents," in *Virginia Magazine of History and Biography*, folio 417, it is stated that Elizabeth Thoroughgood, daughter of Captain Adam Thoroughgood and Sarah Offley, his wife, married Jacob Chandler, member of Maryland Council. There was a Job Chandler who was the Receiver-General of Cecilius Calvert, Second Lord Baltimore and also one of his Councilors. He was called by special writ to the Council, and sworn in on the 11th Feb'y, 165 $\frac{1}{2}$, he was also one of the judges of the Provincial Court; he died in June, 1659. Now the records of this, Northampton county, Virginia, vol. 1657 to 1666, page 124, states positively, or shows conclusively, that Captain John Michael married Elizabeth Thoroughgood, sister of Captain Adam Thoroughgood, or Thorowgood. There appear to have been two Captain Adam Thoroughgoods, father and son; the father is not accredited with a sister Elizabeth, either in the Abstracts of Virginia Land Patents or in Riley's Visitation of Middlesex, 1663, or in Harleian manuscripts. There are many descendants of that Elizabeth on the Eastern shore of Virginia, and in Maryland also through the Michaels. Her eldest daughter, Sarah, married Argall Yeardley 2d, and her other daughter, Margaret, married Col. John Custis, son of Major-General John Custis, of Arlington, and was the mother of the John Custis 3d, who has the curious inscription upon his tomb at Arlington, which has been frequently published. There were Thoroughgoods in Maryland; Cyprian Thoroughgood was in the 1st and 2d Assemblies of Maryland, of Feb'ry 26, 16 $\frac{3}{4}$, and of Jan'y 25, 16 $\frac{3}{4}$. He was from St. Michael's Hundred, in St. Marys County, and was sheriff of that county 1641. There was also Thomas Thoroughgood, a member of House of Burgesses of Maryland from Charles county, Maryland, in 1666, and for several subsequent years.

The New England Historical and Genealogical Register, I have been informed, also states that Elizabeth married Jacob Chandler, &c.

My Baltimore correspondent, Hon. H. H. Goldsborough, to whom I referred the matter, and who has access to all the libraries there, and a complete set of Proceedings of Council Books, called "Fund Publication," I believe, and he says no such Councilor as Jacob is mentioned, and thinks it a misprint for Job. Job Chandler is mentioned frequently in our records, and was a prominent man, but I do not think he ever lived here—as well as I can recollect. The same Elizabeth possibly married Job Chandler who, dying in 1659, left her a widow, and she might have married Capt. John Michael for a second husband.

Yours truly,

THOS. T. UPSHER,
Nassawaddox, Northampton Co., Va.

[Mr. Upshur is correct. It was Job Chandler who married Elizabeth Thoroughgood. The conflicting evidence in regard to the two marriages we cannot explain.—EDITOR.]

HAWKINS AND JAMESON.

LOUISVILLE, KY., MARCH 27TH, 1895.

Editor of the Virginia Magazine of History, &c.:

SIR: In Vol. II, 247, you have "Hawkins, Moses [Hankins?]," as Capt. in the Revolution. In the Land office you will find Land Office Military Warrant, No. 3,326, was "issued to William Strother Hawkins, heir-at-law to Moses Hawkins." This may have been "Capt. Moses Hawkins," of the 14th Virginia, who was killed at Germantown, 4th October, 1777, and *perhaps* the "Moses Hawkins" who married Susannah, daughter of William and Sarah Strother. If the latter Moses, then his descendants are of the same blood as that of President Zachary Taylor, whose ancestress was Sarah Pannill, the half (and elder) sister of Susannah—Mrs. Strother's first husband having been William Pannill. William and Sarah Pannill were also the ancestors of General James Ewell Brown Stuart. William Pannill died before February 25th, 1788.

"Lieutenant-Colonel John Jamieson," should be Jameson, to whom Andre was delivered, and who was nephew to Hon. David Jameson, of the Council, name spelled "*ie*" in *Warrant*, but "*e*" in deed.

Yours truly,

JAMES M. BOUNE.

MILITIA SERVICE IN VIRGINIA.

We are anxious to make as accessible as possible all records of militia service in the Revolutionary War. The following entry from the records of Rockbridge county, is contributed by a well known member of the Lexington bar:

Rockbridge County, State of Virginia—September 3d, 1832.

On this 3d day of September, 1832, personally appeared in open Court before the justices of said Court, now sitting (said Court being a Court of record for the County aforesaid), William Miller, a resident of said County, aged 75 years; who being first duly sworn according to law, doth on his oath, make the following declaration, in order to obtain the benefit of the Act of Congress, passed June 7th, 1832.

That he entered the service of the United States under the following named officers, and served as herein stated.

This applicant states, that he was drafted as a militiaman in the said

county of Rockbridge, and marched on the 9th day of October, 1780, under Captain James Gilmore, then of said County (now dead), Lieutenant John Caruthers, then of said county (now dead) and Ensign John McCorkle, also of said County, who was wounded at the battle of the Cowpens in the wrist, and died with the lock-jaw. The Company rendezvoused in the town of Lexington, in the said County of Rockbridge—marched to New London in Bedford County, Virginia, and thence to Hillesborough in North Carolina, where they joined headquarters under General Gates, where the Company was reviewed and drew muskets and there received orders to join General Smallwood, stationed about 16 or 18 miles below Charlotte towards Camden, and marched on that station, passing through Guilford and Salisbury. At this station this applicant was taken from his Company and ordered to the Catawba, to guard Garrison's Ferry, in which service he was engaged about 4 weeks.

When this applicant was returning to Smallwood's camp, he heard that General Morgan had gone to Charlotte, and had sent the sick and infirm to the Hospital. His Captain, James Gilmore, advised this applicant on account of his health to go to the Hospital also. He preferred going on next day with the army, but his Captain prevailed upon said applicant to remain for a short time with William Gilmore then sick (relation of Captain James Gilmore) and to meet the army as soon as possible. But this applicant, by reason of this circumstance, was delayed, and on his march, met the Company to which he belonged returning with prisoners from the Battle of the Cowpens. This applicant returned with his Company to said Rockbridge County, having his discharge from Captain James Gilmore, dated the 7th day of February, 1781, making this term of service 4 months lacking 2 days. This discharge this applicant has lost.

This applicant farther states, that he was again drafted as a militiaman in May, 1781, and marched from said County of Rockbridge under Captain William Paxton of said County (now dead). He joined the general forces near Deep Run Church under General Muhlenberg. This applicant is advised that it is not necessary to give a detailed statement of this term of service, as he has in his possession the certificate of the Auditors of Public Accounts, certifying his services in the militia of this State, and that he is entitled to four pounds and eight shillings. The original of this certificate is herewith exhibited to the inspection of the Court, and transmitted to the Department as evidence of said applicant's service and the time of said service. This applicant served in all, he thinks, 7 months.

This applicant states that he was born in Pennsylvania near the borders of Maryland (place not known) on the first day of March, 1757. He has no record of his age.

This applicant came into the said County of Rockbridge, in his 13th

or 14th year, and was living in said County when called into service and has lived in it since.

He received discharges in both tours, which discharges he has lost.

This applicant refers to Adam Hickman, John Gilmore, and William Rowlinson as evidence in his behalf.

This applicant hereby relinquishes every claim whatever to a pension or annuity, except the present, and declares that his name is not on the pension roll of the agency of any State.

Sworn to and subscribed the day and year above written.

WILLIAM MILLER.

SOURCES OF INFORMATION IN WASHINGTON, D. C., ABOUT THE
VIRGINIA REVOLUTIONARY SOLDIERS.

Mr. A. C. Quisenberry, of the Inspector-General's Office, War Department, Washington, D. C., at our request, prepared last November the following minute as to the sources of information in Washington concerning the Virginia Revolutionary Soldiers:

"There are in the City of Washington three original sources of information concerning Revolutionary soldiers—or, rather, there were until recently three such sources; but they are now partially combined, and probably will soon be all together. These sources were:

"1. The Pension Office, where there were a great many original muster-rolls of Revolutionary troops, of which I am told there are some twenty large volumes pertaining exclusively to Virginia troops. These muster-rolls were taken at various times during the war, and cover nearly the whole duration of the conflict. In addition to these muster-rolls there is a vast mass of applications for pensions, beginning generally about 1818, in which usually a brief but terse and succinct history of the applicant's military service is given, proven by the oaths of comrades, or others, who had knowledge of such service, and sworn to by the applicant himself.

"2. In the State Department, among the Washington papers, there is one complete muster-roll of the army, taken in September, 1778, preparatory to the reorganization of the military establishment. Of these there are two large volumes pertaining exclusively to Virginia troops. There is here, also, the largest and most important collection of the records of the war of the Revolution now in existence, embracing the personal papers of General Washington, his orders and letters, lists of officers, commissions, casualties, &c., together with letters to him from every general officer of the army, as well as from every prominent congressman and other public man of the times.

"3. In the Treasury Department are many papers relating mainly to payments, depreciation of pay accounts, transfers of funds, disburse-

ments of funds, &c., from which much information concerning individual soldiers may be gleaned, and also a few rolls of some militia organizations.

"I should state that the names of numerous Virginians may be found upon other muster-rolls than those pertaining exclusively to Virginia troops—in such organizations, for instance, as Smallwood's Maryland Rifleman, which contained many men from the Northern Neck,—and in the various Artillery, Artillery and Artificers, and Light Dragoon Regiments.

"By a recent act of congress all these various military records are to be combined into one collection, and placed under the control of Col. Ainsworth, Chief of the Record and Pension Bureau, War Department, who is charged with their arrangement, indexing and filing, with a view to ready reference. So far only the records of the Pension Office have been turned over to him, though the others will be, on demand; and I see by a recent newspaper interview had with Col. Ainsworth, that in the course of a year or so he expects to have the whole mass so arranged and digested that full information concerning any name in it can be produced at a minute's notice."

Under date of December 11, 1894, Mr. Quisenberry wrote:

"Since I wrote to you some weeks ago concerning the original sources of information relating to the soldiers of the Revolutionary war, preserved in this city, the rolls of soldiers in the Washington Papers, State Department, have also been transferred to the Chief of the Record and Pension Office, War Department."

QUERIES.

ROBERT CLARK.

Robert Clark, born in Albemarle county, moved to Bedford county, and there married Susan Henderson. They had a large family of children; one, James Clark, born in 1779, was Governor of Kentucky in 1836. Another, C. C. Clark (Kit Clark), was a member of Congress from Virginia.

Who was Robert Clark's *father*, when and where did he live, what is his history, did he take part in the early colonial wars or in the war of the Revolution? We have a *tradition* that *two* of his sons were in the Revolutionary Army, and a further tradition that he was the first cousin of General George Rogers Clark (1752-1818).

Information hereon would be gratefully received by many in interest.

GEN. JOHN A. HALDERMAN,
Metropolitan Club, Washington, D. C.

SAYRE FAMILY.

I am collecting material for a genealogy of the Sayre family.

Stephen Sayre, who was born in Southampton, N. Y., was a banker in London in the time of the Revolution, and was High Sheriff. He returned to this country after the war, and lived at Bordentown, N. J., his estate subsequently having been sold to Joseph Bonaparte, and is now known as Bonaparte Park. He died in Virginia 27th September, 1818. His son, Samuel Wilson Sayre, married, 1st, a daughter of Philip Ludwell Grymes, of Brandon, Middlesex county, Virginia, and 2d, Virginia Bassett. Of his children, Mary married Carter Braxton, and of his sons, Burwell Bassett Sayre and William Sayre we have no trace.

Can any of the readers of the *Virginia Magazine of History &c.*, put me on the track of any descendants?

THEODORE M. BANTA,
P. O. Box 1401, New York City.

BARNES GENEALOGY.

Barnes or *Barns*. Persons of the name are requested to furnish data concerning their family record for use in the Barnes Genealogy, now in preparation.

BYRON BARNES HORTON, *Sheffield, Pa.*

ANCESTRY OF EDMUND KING.

Edmund King, Sr., of Halifax Courthouse, Va., had three wives: 1. Miss Beavers, by whom he had a son, Robert; 2. The widow Thomas; 3. Elizabeth, daughter of William and Mary (Woodson) Thomas. Elizabeth, the third wife, died April 2d, 1798, and was buried at Halifax Courthouse. Her children were: Polly, William, James, Edmund, Sarah, Elizabeth, Nancy, Joicy and Peyton, born between the years 1774 and 1790.

Is anything known of the ancestry of this Edmund King, Sr.? His children and William Rufus King, Vice-President of the United States, born 1786, are said to have been second cousins. What proof is there of this?

RUFUS KING, *Yonkers, N. Y.*

SMITH FAMILY.

Charles Venable, of the second generation of the Virginia Venables,

married Elizabeth Smith, daughter of Robert Smith, the founder of Port Royal (*Hening*, v. 287; vi. 317). Robert's father was Charles. Robert's children were Lawrence, Charles, Elizabeth, Dorothy and Sarah, the wife of Luke Burford. Robert's wife was Elizabeth. In the *William & Mary Quarterly* for January, 1894, p. 158, mention is made of a coat-of-arms of "Robert Smith and Elizabeth his wife." Any information which will help me to trace this Smith family backward, will be thankfully appreciated.

PROF. JOSEPH J. CASEY,
26 East 129th St., New York.

BLAND-FITZHUGH.

In the Bland genealogy, published by the Richmond *Critic*, it is stated that Colonel Theodorick Bland was twice married: first, to Susan Fitzhugh, with a list of children; secondly, to Martha Dangerfield. Was he married to Susan Fitzhugh?

MRS. GENERAL ROGER A. PRYOR,
38 East 33d Street, New York, N. Y.

CRUMP FAMILY.

John Mead, son of William Mead, of Bedford county, Va., married prior to 1776, Mary Crump, daughter of William Crump, of Bedford county. Information in reference to this Crump family requested.

G. C. CALLAHAN,
750 Bullitt Building, Philadelphia, Pa.

THE LOYAL COMPANY.

In the *Virginia Gazette* of March 29th, 1775, appeared an advertisement for the "Loyal Company" to meet on April 8th, 1775, "Thos. Walker, Agent." Can any correspondent give information as to what the Loyal Company was and from what the name was derived?

A COLONIAL DAME.

OLD PARK CHURCH.

For some time past I have been trying to locate the "Old Park

Church," mentioned in an old manuscript 130 years ago as being in King & Queen county, Va. If any of the readers of the Virginia Magazine of History, etc., will kindly let me know how I can locate the old church, it will greatly oblige,

R. C. BALLARD THRUSTON,
Louisville, Ky.

DEACON NECK WAREHOUSE.

I have in my possession a receipt, dated April 9th, 1800, signed by Ben Minor, for tobacco given to Thomas Baytop, my great-grandfather, former Inspector at Deacon Neck Warehouse. Where was Deacon Neck Warehouse?

T. J. STUBBS, *Williamsburg, Va.*

TYREE HARRIS.

Was the Tyree Harris mentioned by Bishop Meade, Vol. II, page 42, as a vestryman of Frederickville parish, Albemarle county, 1760-1762, the same Tyree (Tyrie?) Harris who was High Sheriff of Orange county, N. C., 1766-1767, and whose actions under Governor Tryon formed one of the complaints of the "Regulators?" *Wheeler's History N. C.*

General Tyree Harris Bell, once of Sumner county, Tenn., but now of Fresno, California, says they were the same, but quotes no authority.

FLOURNOY RIVERS,
Pulaski, Tenn.

BOOK REVIEWS.

THE FINANCIAL HISTORY OF VIRGINIA, 1609-1776—By William Zebina Ripley. Price 75 cents. Columbia College Studies in History, Economics and Public Law.

As but few Virginians are willing to take the trouble to study diligently the history of Colonial Virginia and publish their researches, one feels inclined to thank publicly any one born elsewhere, who publishes a work on that subject.

Certain it is, that about such a work we would rather speak a word of praise than one of unfavorable comment. But it is time that historical publications about Virginia should be at least accurate. We regret to say that the above-named work is greatly lacking in that quality; one so essential to a work which treats not only of history, but also of finance, subjects which, above all others, demand facts and figures. What makes the inaccuracies of the above work so surprising is that the correctness of nearly all of its statements is seemingly guaranteed by foot-notes, referring to volume and page of some earlier work. Yet frequently the reference has no bearing upon the subject of the text, sometimes only supports it in part, and sometimes disproves the assertion it is cited to justify. We cannot undertake to notice in detail the whole book. We shall rather confine our comments to those parts which deal with the earlier and more uncertain history of the Colony.

On the first page of the text we have what purports to be an accurate quotation from the instructions issued under charter of 1606. The quotation gives the substance of the instruction referred to, but it is not what it purports to be, a full and accurate quotation. On the next page, when speaking of a change from trading in a common stock to individual ownership, it is said that "The first modification of this system was introduced in 1613 under Governor Dale." Sir Thomas Dale was not Governor in 1613, as Sir Thomas Gates did not leave Virginia until 1614. If the change took place while Dale was Governor it took place in 1614. We may remark also, that it is open to dispute whether the change was brought about by Dale or by Gates. It is true that Campbell and Burk, following Smith, ascribe the change to Governor Dale. But in the "Briefe Declaration," &c., "by the Ancient Planters," it is stated that the change was made because of a "petition to Sir Thomas Gates [then Governor] to grant them that favor that they might employ themselves in husbandry," &c., &c.; which petition was granted upon condition that "they would paye the yearly rent of three barrells of come and

one month's worke to the Collonye." And in the same declaration a complaint is made against Sir Thomas Dale about his breaking his promise with those persons, who were induced "to worke in the buildinge of Charles City and Hundred" upon certain assurance; a complaint which, if true, would tend to show that Dale was not the person who made the favorable change above mentioned. We may note also that the "Ancient Planters" does not assert that the more favorable terms were only given to persons residing in Bermudas Hundred; a statement made by Smith and the other historians of Virginia, as well as by Mr. Ripley. But Mr. Ripley has no support for the statement that those tenants had to pay a "tribute of two and a half *bushels* of corn yearly to be paid to the *proprietors*;" although he cites Virginia Historical Collections, Vol. VII, page 22, as authority for the statement. In the first place, the work referred to gives no color to the assertion. Smith and the other historians state that the tribute was two and a half *barrels*. And they all state with equal clearness that the tribute was to be paid, not to the "proprietor," but "to the store."

It would be hard to conceive why the author asserts that the tribute was paid to the "proprietor," but for the fact that, a few lines preceding that statement, he made a statement equally as incorrect, about Bermudas Hundred being a grant made to Governor Dale, and the first of the proprietary grants. We are not aware that any one before Mr. Ripley had ever thought that Bermudas Hundred was aught but a public settlement. The quotation which Mr. Ripley makes on the same page, from the above-mentioned volume of Virginia Historical Collections, page 65, ought to have shown him, if he had not otherwise known, that the earliest plantation "of any moment was Smith's Hundred, afterwards called Southampton Hundred." Here again he does not quote correctly. And strange, the part he omits is the statement that of the "divers particular plantations, whereof the *first* of any moment [was] now called Southampton's Hundred." But Mr. Ripley had a theory as to the disastrous condition of affairs in Virginia. His theory was that it was caused by the existence of the proprietary grants. And hence he began to have such grants in existence as early as 1611, when Bermudas Hundred was taken from the Indians and settled. He makes the quotation to which we have just alluded in order to prove that "These grants were at once a result, as well as a cause, of the rapid decline of the Company," &c. The whole text, from which the quotations was taken, does not support that contention. It indeed alleges that the increase of the private plantations was contemporaneous with the "consumption" of the "estate of the public." But it nowhere intimates that the increase of one produced the consumption of the other. On the contrary, it ascribes the "consumption" to the bad management of the colony under Argall.

On page 15, he asserts that "the Company's communistic system was fruitful of so great abuses that many complaints are preserved in the old records." Doubtless many such complaints were rightfully made. But that fact does not justify Mr. Ripley in intimating that a letter from the Company to Lord DeLawar, setting forth Argall's tyranny and robbery, was a complaint from some colonist against the Company's communistic system. Nor is the author justified in calling the tobacco voted by the first assembly to the Speaker, Clerk, Sergeant and Provost-Marshal [which latter Mr. Ripley ignores] "salaries." It was remuneration for services, most of which had been already done. And the manner of distribution among them shows it was not regarded as salaries, but "a contribution to gratify their officers."

He also states that "in 1621 the county courts began to develop." On the other hand Stith says, "Inferior courts were, therefore, in the beginning of the year 1622 appointed in convenient places," &c. He follows the last error by an inaccurate quotation from *Hening Statutes*, Vol. I, as to the establishing of a public granary, by requiring planters "exceeding the age of 18 years, alive at the Crop after he hath been heere a year a bushel of corne." And he asserts, without the slightest justification, that that "charge upon the colonists" was caused by the establishment of those courts. It has been always believed, that the justices who served on the county courts served without remuneration. The law as to the public granary had a different object; it was to prevent a scarcity of food in the colony. Just as the law of 1619 required that each household should keep on hand a certain supply, "either upon sale or exchange."

On page 20 the author, speaking of the years just preceding the Assembly of 1629, says that a poll-tax was doubtless levied from time to time, as the records mention payments of tobacco, which could be met in no other way. But his citation of 1 *Hening Statutes* does not support his statement; for the payments there mentioned were not such as had already been made, but such as were to be paid out of the levy ordered by the Assembly of 1629. He then remarks that such "contributions, however, must have been largely voluntary." We know of no reason to suppose that any of the payments were voluntary. The Burgesses were empowered to levy for the poll-tax imposed.

We are next told that the personal responsibility of the sheriffs for all collections committed to their charge was transferred to the "masters of plantations." The sheriffs were not released, but "the masters of the severall families" were made, *also*, responsible.

The author on the same page makes a quotation as to the change from a poll-tax to a tax upon property, and refers to it as quoted from "Remonstrance of the Assembly against the charter of a new company, 1642; Burk ii, 68;" That "remonstrance" or rather "declaration" con-

tains no such statement. The quotation is found in 1 *Hening Statutes*, p. 237, in "A Remonstrance of the General Assembly," issued to the colony, to explain why the Assembly had been in session so long, and "to present and remonstrate to the colony the weighty consequents and benefits redounding thereto by their late consultations."

The next error occurs in the statement, that the exemption of the Governor, his Council, and ten servants, each from all public charges, "was reduced to a mere personal exemption in 1642, which remained the rule until 1670." It is by no means clear that the Act of 1642-'3 did not intend to exempt the ten servants each as well as the members of the Council from all public charges, "church duties only excepted." Certain it is, that the exemption did not remain a personal one "until 1676." Under the Act of 1645, 1 *Hening Statutes*, p. 307, not only the members of the Council were exempt, but so also were their ten servants each, except as to war charges or taxes. The Act of 1661-'62 exempted the members of the Council and "ten tithables" from all publique charges and taxes, "the minister and church duties excepted."

It is also an error to say that by the Act of 1630 "new comers" to the colony were liable to the payment of the public levies. They were only made liable for their proportion of the charges incurred "upon any march or service upon the enemy."

The author gives but little information, when he states that the tithes "were very considerable in amount." He could have given the definite information, that during the period, then under notice by him, the tithes were ten pounds of tobacco and a bushel of corn, except for about 18 months, during which months the ministers were also entitled to "the 20th calfe, the 20th kid or goates, and the 20th pigge."

The next error is a reference to Burk's History to sustain the statement, that the Governor after 1639 was allowed "a regular salary" "by the King from the tax upon tobacco exported," in place of the revenue from the lands formerly granted for his support. The reference gives no justification for the assertion. The first statute published by *Hening* showing that there was enacted an export tax on tobacco was one of 1657-'8. And the first Act showing that the colony paid the Governor's salary is one of 1642-'3, which was enacted with great hesitation, and with the assertion that it was not to be a precedent, and was passed because the troubles in England cut off the Governor's "severall pension and allowance from his ma'tie."

The reference to 1st *Hening*, as to levy in 1644 of eighteen pounds of tobacco per poll, shows that it was not ordered merely to pay the expenses of Governor Berkeley's visit to England, but also to pay for powder.

We next notice the author's remark that "we have already seen that all of the expenses of providing for the support of the government had

been cast upon the colony after 1625." It cannot be said that he has shown anything of the kind. Indeed, we would like to see proof of any such allegation. The statutes as to the Governor's salary would indicate that such an assertion is erroneous.

The author next notices the Act of 1645, "that [hereafter] all publique levies and county levies be raised in equal proportions out of the visible estates in the colony." Of it he says, "This act did not abolish the poll as a basis of taxation, as some historians have asserted. The capitation tax was continued at about the usual rate, while the other property taxes were merely supplementary," &c. The act was not supplementary. It took the place of the former method of taxing per poll. It declared that all public levies and county levies were to be raised "out of the visible estate." It is more than probable that what led the author to state that the method of taxation per poll was still in force, was that the act taxed "a tithable person at 20 pounds" of tobacco. But this had reference to such persons as were not only tithables, but also "visible estates," viz: slaves. Such persons had been declared by a prior act to be tithables. Mr. Ripley knew this, for he calls attention to that fact on the page preceding the one now under notice.

More than once he refers to a fact, as if it had taken place in one period of time, when in fact it took place at a different time. For instance, when speaking of the failure of sheriffs to collect taxes about 1644, he cites 2 *Hening*, to show that about that time the laws were very indefinite and enabled the sheriffs to collect at disadvantageous seasons, when in fact the act intended to be referred to by the author was passed by Bacon's Legislature, in 1676. Nor is there anything in that act to support the author's statement that the sheriffs took such times "with intention of compelling distress or forfeiture in order to increase the fees of their offices." The statute speaks of the levy being made at the "disadvantageous times," because of the "remissness of the sheriffs and collectors of the publique dues."

An error, arising from carelessness, occurs in the statement that fifty pounds of tobacco per poll was levied in 1662 for the building of James City. The rate was only thirty pounds. Another error, arising from carelessness, is the statement that upon tobacco exported a tax was laid of one shilling. The tax was two shillings. This error is repeated on page 58.

The next error of the author is one for which no excuse can be found. After referring on a preceding page to the Act of 1674, imposing a tax to defray expenses of sending commissioners to England, he alleges that the so called Virginia Long Parliament levied that extraordinary charge "entirely upon the devoted polls of the 'poorer sort.'" The act itself says it shall "be levied of and from every tithable person within this colony." That incorrect statement was made in order to

sustain the author's assertion that "class legislation was so often the rule in Virginia politics."

He next asserts that "new forts were built by levying more taxes of the same kind." If he meant by levying such charges upon the "poorer sort," the statement is as incorrect as the one last noticed. At this day it can hardly be necessary to correct his assertion as to the character of the followers of Nathaniel Bacon.

In further proof of "class legislation," he asserts that "great abuses had crept into the methods of granting land patents, which likewise bore with peculiar force upon the yeomanry, the tenants, the artisans and the poorer whites." This statement is also incorrect. The complaints about the land patents, which had caused the sending of commissioners to England, were not made about patents issued by the government of Virginia, but of some given by Charles II to his friends, "certain lords patentees."

The author, proceeding next to discuss the decline of direct taxation after 1700, alleges that there is no record of a levy of tobacco for nearly twenty years after 1710. While Hening does not print *in full* any act ordering levying from 1710 to 1730, yet he does state that in 1712, 1713, 1715, 1718, 1720, 1722, 1726 and 1727, respectively, such an act was passed, and quotes in each instance its title as "An act for raising a public levy." And while it is true that the levy ordered in 1710 was 9¼ lbs., yet that levy was for the public charge from April, 1706, to October, 1710. And the one of 10½ lbs. per poll, of which the author speaks as the levy of 1727, was the public levy for the time from February, 1727, to May, 1730.

He next cites Burk as stating that the average levy for *county* expenses was 3½ lbs. Yet Burk, speaking of the years about 1763, only states that "Three pounds and a half from each man's part of the *public levy*;" which we need hardly say was not the county levy.

Reference is made to *8th Hening* for proof of the statement that "often times the taxes of several counties at a time would remain uncollected for years." The reference justifies no such statement. The act referred to only makes provision where there was a vacancy in one sheriffly, and where in another no bond had been given.

Another loose and erroneous statement is that the levying of a tax to pay the expenses of agents sent to England to protest against the grant of Lord Culpeper, was "the occasion" for the outbreak of Bacon's Rebellion.

On page 53 we are told that an act of 1755 declared it "to be almost impossible to obtain a judgment against a sheriff for the non-payment of quit-rents collected;" when in fact the law only declared a regular suit to be "tedious and dilatory," and provided for obtaining judgment in a summary way.

He then states that the opposition to quit-rents was so great that after 1660 the sheriffs would not collect them until the passage of a certain act. Such a statement is most misleading, for the reason that until the passage of that act, there had been no duty on a sheriff to make any such collections; they having been theretofore made by collectors appointed by the Treasurer.

The author refers to *1st Hening*, 306, as substantiating his statement that "during the Commonwealth the fund [from quit-rents] seems to have been devoted to the regular governmental expenses." Yet the act says that in accordance with "*his ma'ties* gracious bounty to this colony, expressed in his late royal letters," the fund, after the payment of Treasurer's salary, should be disposed of by the Assembly.

We are then told that "after the second decade of the century, but little mention is made of these rents." Yet in 1748 an Act was passed fixing places of payment, and how such taxes were to be paid; and another, making tenants intail, or by courtesy, liable for them. The Act of 1755, already noticed, provided a summary way of getting settlements from the sheriffs for their collections of the quit-rents. The King's Proclamation of 1763 reserved quit-rents in lands to be given as bounties. An Act of 1765 provided for distraining for quit-rents.

The revenue derived from the Act of 1657, putting a tax of two shillings, per hogshead, on exported tobacco was not intended to be "devoted" to the payment of the Governor's salary. It appears from the Act immediately following it, that it was intended to be used also for other purposes.

Nor is Mr. Ripley correct when he asserts, that the said Act of 1657 was not passed, as was the Act of 1661, for fiscal rather than political reasons. Indeed the respective preambles to the two Acts are nearly word for word the same. Nor was the duty on exported tobacco reduced in 1769 to 1 sh., 6 d. per hogshead. In that year an extra, "a further duty" of 1 sh., 6 d. was laid. Nor were the poll-taxes at that time "continued at a high level to pay off the war debt." Nor is there any reason to believe that the tax of 1779 of 30 shillings, per hogshead, was imposed for any reason, but to raise revenue. It is fanciful to assert, that it was imposed to turn the attention of the planters to raising other commodities. Nor is it correct to intimate, that in 1705 a duty of six pence per poll was laid upon all passengers in merchant vessels for the first time. Such a duty had been imposed for many years.

We do not find that Mr. Ripley is any more accurate in his chapter on Local Taxes. He refers to 4 *Hening*, 370, to sustain the assertion that during the 18th century the "local levy was only about four pounds." The reference speaks of a single year only, and was not for the county levy, but for a special purpose. On the same page, his language indicates that from 1676 to 1742 a number of freeholders sat with the justices

to determine the county levies, and that at the latter date the whole power was again returned to the justices. Neither assertion is justified by any publication of the Colonial Law of Virginia. It is true that such a law was passed by the Bacon or Reform Assembly; but it died on the restoration of the Berkeley Government, and was not re-enacted. Nor did the Act of 1742, referred to, pretend to restore any such exclusive power; but enacted that the justices should have power to order county levies for the building of bridges and causeways.

On the next page he incorrectly intimates, for the purpose of supporting his theory, that the local powers were being absorbed by the Assembly, that the inspection of tobacco and all the expenses caused by that system was at one time a local power.

He quotes the Act of 1774 as giving the city of Williamsburg the power to impose a poll tax "for the time being." When in fact the words quoted were used as to the city officials "for the time being." He next states, that in 1672 that city received power to levy a tax to repair streets; but that, "two years later, this plentitude of power was deemed liable to 'prove a dangerous consequence to the liberties and properties of the said citizens.'" It is true, that in 1672 that city was given the power mentioned, but along with it was given, not only two or three specified powers, but also power to raise money for "other necessary conveniences." And the Act of 1764 distinctly declared it was the general undefined power that "may prove of dangerous consequence," &c.

In discussing the object of church tithes, he asserts "at first, there had been no distinction between the parish and the county." Yet, there were no counties until 1634; while as early as 1623-'4, it was declared "that there shall be in every plantation where the people use to meete for the worship of God, a house or roome sequestered for that purpose." And in 1631, the church wardens were required to give notice "to the parishioners that they bringe the dutie of 10 lbs. of tobacco for the ministers," and also "the dutie of a bushel of corne." Nor were the church tithes fixed by the Assembly, except that it required that "current comodities," worth at least eighty pounds, should be furnished the minister.

In the chapter under the Budget we are told that in 1639 the Burgesses asserted the exclusive right of legislation in all matters of taxation, as if the assertion was then made for the first time. The reference he gives shows that he evidently intended to say in 1631. But even then he is wrong, for the Act of 1631, on that subject, is almost word for word that of 1623-'4.

The author seems to think that the system of taxation by the poll was unwise and unjust. This view admits of considerable dispute and doubt. In the first place the system was not blindly adopted from England. In

fact, the poll-tax was rarely imposed in that country, and when it was, it was a graded one. The Virginia legislators must have had some good reason for adopting a system foreign to their mother country. If the majority of the people had desired a change they could have affected it. Prior to 1654-5, the right of suffrage embraced every freeman; and with the power of electing the Burgesses, they would have required a change, if they had desired it, very earnestly. We must remember that most of the people were farmers, and hence would have been affected by any tax upon land. And we must also remember that the extreme cheapness of land tended to prevent any tax from being laid upon it. When we also remember that the owners of the large farms had to pay the poll-taxes assessed upon their slaves, we will find that the tax was not very unequally laid. Another recommendation was in its simplicity. With these reasons before them we can understand why a house of Burgesses, elected by universal suffrage among all freemen, should have held on to that system of taxation.

We cannot lengthen this notice of Mr. Ripley's book, except to say that we must advise any one desiring accurate information as to the finances of Colonial Virginia, to look for it elsewhere.

M.

THE HEAD OF A HUNDRED—By Maud Wilder Goodwin. Little, Brown & Co., Boston, Mass.

We welcome every sincere attempt to show the children of Virginia what folk their fathers were. When romance is true to the soul of facts, its service to history is greater than its debt. In this book the writer or editor, as she is styled, introduces her hero, Humphrey Huntoon, on his arrival at Point Comfort, Virginia, soon after its settlement. He is a young physician from the old country, seeking his fortune in the new world. The heroine of the story, Elizabeth Romney was safely distanced, so Huntoon imagined by his journey to America, but his memory carried with him, the "rooted sorrow" of her scornful refusal of his suit. They had been neighbors from childhood and were lovers in their teens. But ambition had jilted love, as not uncommonly happens, and we meet our hero at Point Comfort, wearing a very rueful face and seemingly with little comfort before him. But love has a wit of her own, and Mistress Betty Romney herself makes the voyage to America a few months later, to escape from the worldly marriage her father had arranged for her.

To give the incidents of the life of these two people in and around Jamestown would be to tell in brief and poorly what the author has told at some length and well. We do not find ourselves conversing, as it were, with the early settlers of Virginia, or learning, better than did the actors

themselves in this planting of a new nation, what a work they had in hand. The man who can restore primitive Virginia as Hawthorne has done for the settlers in Massachusetts Bay, has not been born. But the reader of this book will find pleasant sailing on the Chesapeake and the James, and an adumbration of the past, if not a revelation of it. The story is autobiographical and, therefore, partakes of the style of the times it depicts and also of the character of the narrator. While this gives a fitting antiquity to the former, may we not say without offense, that it derives more or less dulness from the latter? Humphrey Huntoon is such a born prig that his journal of meditations, events, hopes and fears, shares the dryness of his personality. The only redeeming touch of unpremeditated manhood we find in him, is where he thrashed a man in the street for insulting his lady, and in his defense of the settlement at Flower de Hundred. It is plain to be seen, all through this curious courtship between Humphrey Huntoon and Betty Romney, that the latter is the better man of the two.

However, our task of critic is not concerned so much with the characters as with the purely literary and historical work of this book, and we gladly bear tribute to the nicety and care of the former, and so far as our knowledge extends to the probability of the latter.

G. L. C.

HISTORY OF THE RICHMOND THEOLOGICAL SEMINARY—with Reminiscences of thirty years' work among the colored people of the South. By Charles H. Corey, President of Richmond Theological Seminary; with an introduction by W. W. Landrum, D. D., pp. 240. Richmond, Va., J. W. Randolph Company, 1895.

We heartily recommend Dr. Corey's volume to all who are interested in the history of the African race in the South since the close of the late war. It is a very instructive and valuable record of devoted and successful service for the improvement of the moral condition of the negro, and has an importance and significance far beyond the institution and community of which it specially treats. It is pleasant to note that Dr. Corey bears witness to the local interest which has been felt in his work, an interest not confined to his own religious denomination. This interest is certain to increase, as the good fruit of the labors of such men and their pupils becomes more and more manifest.

LOWER NORFOLK COUNTY VIRGINIA ANTIQUARY.—No. 1, Part I, pp. 36. Edited and owned by Edward W. James, Richmond, Va., 1895.

In his brief preface, Mr. Edward W. James, who has already won a distinguished position among students of Virginia history, announces that his new publication is "intended for the purpose of making known

and perpetuating the history" of the division of country which, up to 1691, bore the name of "Lower Norfolk County." Its records, which are now preserved at Portsmouth, Princess Anne C. H. and Norfolk, are singularly rich in material of the most antique and varied character, whether economic, political or genealogical. Mr. James, who has made many interesting and important contributions to the *William and Mary College Quarterly* and the *Virginia Magazine of History and Biography*, published by the Virginia Historical Society, has shown equal taste and discrimination in the selection of the table of contents of the first number of the *Antiquary*. They are: I. Land and Slave Owners, Princess Anne County, 1771, 1772, 1773 and 1774. II. A Frolic in ye Olden Time. III. Slave Owners and Slave Employers, Princess Anne County, 1860. IV. Norfolk Federalist Aldermen. V. Election of Vestrymen, Norfolk County, 1761. VI. Witchcraft in Virginia. VII. The Norfolk Academy. VIII. One of the Duties of Vestrymen.

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ERRATA.—Page 36, line 6 from bottom, for "Thomas Lucas, Jr.," read "Thomas Lucas, Sr.;" page 40, line 20 of note, for "Edward," read "Edmond;" line 21, for "Edward," read "Edmond;" page 65, line 17 from bottom, for "twins," read "times;" page 80, after (13) Thomas, for "Surry and," read "living in;" page 81, line 12, for "very riche," read "very sicke."

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The Virginia Magazine of History and Biography, Edited by Philip A. Bruce, Corresponding Secretary and Librarian of the Society, (Seal). Published Quarterly by the Virginia Historical Society, Richmond, Va. House of the Society, No. 707 East Franklin St.

VOLUME I—Octavo, pp. 484-viii-xxvi-xxxii.

Contains cut of the Society's Building, accounts of the proceedings and transactions of the Society for the year 1893, and many exceedingly valuable, original historical documents and papers which have never before appeared in print. Among others may be mentioned, Discourse of the London Company on its administration of Virginia affairs, 1607-1624; Abstracts of Colonial Patents in the Register of the Virginia Land Office, beginning in 1624, with full genealogical notes and an extended Genealogy of the Claiborne Family; The Mutiny in Virginia in 1635; Samuel Matthew's Letter and Sir John Harvey's Declaration; Speech of Governor Berkeley and Declaration of the Assembly with reference to the change of Government in England and the passage of the First Navigation Act of 1651; Petition of the Planters of Virginia and Maryland in opposition to the Navigation Act of 1661; Bacon's Rebellion, 1676; His three proclamations, Letters of Sherwood and Ludwell, Proposals of Smith and Ludwell, and Thomas Bacon's Petition; Letters of William Fitzhugh (1650-1701), a Leading Lawyer and Planter of Virginia, with a genealogical account of the Fitzhughs in England; Lists of Public Officers in the various Counties in Virginia late in the 17th and early in the 18th centuries; Roster of Soldiers in the French and Indian Wars under Colonel Washington; Officers, Seamen and Marines in the Virginia Navy of the Revolution; Roll of the 4th Virginia Regiment in the Revolution; Diary of Captain John Davis of the Pennsylvania Line in the Yorktown Campaign; General George Rogers Clark,—Roll of the Illinois and Crockett's Regiments and the Expedition to Vincennes; Department of "Historical Notes and Queries" containing contributions by Hon. Wm. Wirt Henry, and many other items of value; Department of "Book Reviews;" A full Index.

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Volume II contains a full account of the proceedings and transactions of the Society for the year 1894, and the following list of articles copied from the original documents: Report of Governor and Council on the Condition of Affairs in Virginia in 1626; Abstracts of Colonial Patents in the Register of the Virginia Land Office, with full genealogical notes and extended genealogies of the Fleet, Robins and Thoroughgood Families; Reports of Grievances by the Counties of Virginia after the suppression of Bacon's Insurrection; A full history of the First Legislative Assembly ever held in America (that in 1619 at Jamestown), written by Hon. Wm. Wirt Henry; The concluding list of Virginia Soldiers engaged in the French and Indian Wars; The opening lists of the Virginia Officers and Men in the Continental Line, compiled from official sources; A valuable account of the Indian Wars in Augusta County, by Mr. Joseph A. Waddell, with the lists of the killed and wounded; Instructions to Governor Yeardley in 1618 and 1626, and to Governor Berkeley in 1641; Letters of William Fitzhugh continued, with full genealogical notes; The Will of William Fitzhugh; A complete List of Public Officers in Virginia in 1702 and 1714; Valuable account of Horse Racing in Virginia, by Mr. Wm. G. Stanard; The first instalment of an article on Robert Beverley and his Descendants; Wills of Richard Kemp and Rev John Lawrence, both bearing the date of the 17th century; Short Biographies of all the members of the Virginia Historical Society who died in the course of 1894; An elaborate Genealogy of the Flournoy Family, throwing light on the Huguenot Emigration; Department of Historical Notes and Queries, containing many valuable short historical papers and also Genealogical contributions, among which the Carr and Landon Genealogies are of special interest; Department of Book Reviews, containing critical articles by well known historical scholars. Volume II, like Volume I, has been thoroughly indexed.

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(MARION HARLAND.)

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Adjutant-General of New Jersey.

The *Virginia Magazine of History and Biography* is most interesting and most valuable.

RT. REV. T. U. DUDLEY, D. D.

I have found the *Virginia Magazine of History and Biography* a valuable and interesting journal. The publication of original papers is very necessary for the history of the State, and there is no more important work to which the Magazine could be devoted.

PROF. JAMES M. GARNETT,
University of Virginia.

The *Virginia Magazine of History and Biography* is of very great interest and aid to me in recalling the incidents, personages, and manners of the Old Dominion in the Colonial period. As a repertory of original information it is invaluable to the student in his researches for the influences and agencies that conduced to the formation of Virginia.

GEN. ROGER A. PRYOR,
Judge Court of Common Pleas, New York City.

It gives me the greatest pleasure to speak in most cordial terms of the excellent work done by the Virginia Historical Society in its Magazine. I only wish there were more Historical Societies in the country willing to follow and capable of following your example.

THEODORE ROOSEVELT,
Author of "Winning of the West," etc.

The *Virginia Magazine of History and Biography*, edited with much ability and scholarship, is a rich mine of original materials of great value to historians of Virginia and the United States. I find much in it to interest the student of Virginia English as well as the student of history.

PROF. WILLIS H. BOCOCK,
University of Georgia.

The Virginia Historical Society is doing admirable work in publishing the *Virginia Magazine*. The numbers already published contain a great deal that is of high value. The publication of such rich historical materials as Virginia seems to have in such plenty is just one of the things which are most needed.

PROF. JOHN FISKE.

I am very much pleased with the *Virginia Magazine of History and Biography*. The material published is valuable. I like exceedingly the spirit shown in the pages devoted to Book Reviews. It is genial and fair as well as discriminating.

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Amherst College (Mass.)

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THE
VIRGINIA MAGAZINE
OF
HISTORY AND BIOGRAPHY.



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No. 2.

VIRGINIA UNDER GOVERNOR GOOCH.

Sir William Gooch, Governor of Virginia at the time the following report was made, was descended from an ancient family in the counties of Norfolk and Suffolk. His father, Thomas Gooch, an alderman of Yarmouth, married Frances, daughter and heiress of Thomas Love, Esq., of Worlingham, Norfolk, and dying in 1688, left several children, of whom William was the eldest. He was born October 12th, 1681, went young into the army, and was actively and gallantly engaged during Queen Anne's wars. He retired after assisting in subduing the Scottish insurrection of 1715. He was appointed Lieutenant-Governor of Virginia in 1727 (the first patent signed by him was on October 13th), and held the office until about June 20th, 1749, the date of the last patent signed. His administration was universally popular, and as Burke (*Baronetage*) says, it was said of him that he was the only Colonial Governor of the time against whom no inhabitant or merchant ever made complaint. In 1740 he became Colonel of an American regiment, and was sent with it to Carthage, where he was wounded. He was also a Brigadier-General in the army. On November 4th, 1746, he was created a baronet, with remainder, in default of his own male issue, to his brother, Thomas, Bishop of Norwich. He married Rebecca, daughter of William Stanton, Esq., of Hampton, Middlesex, England, by whom (who died April, 1775) Burke states he had no issue. He died, according to one account, in 1751, and according to another, August 14th, 1759, and was succeeded by his brother, Bishop Gooch. Though Governor Gooch left no son, yet he certainly had one son, William, who married Eleanor, daughter of James Bowles, of Maryland, and died prior to 1747, when Warner Lewis, the son of his widow, Eleanor, by her second marriage with Warner Lewis, was born. The fact that

Sir William Gooch was succeeded in his baronetcy by his brother, disposes of all the claims which have been made by various persons of the name of Gooch that they are descendants of the Governor.

The family of the name in Virginia are probably descended from Lieutenant-Colonel Henry Gooch, who was living in York county in 1656, and was Sheriff of that county in 1662. William Gooch, probably his son, married Ursula, daughter of Colonel William Claiborne, second of the name.

QUERIES FROM YE L^d OF TRADE TO S^r WM. GOOCH GOV^r
OF VIRGINIA & HIS ANSWERS ABRIDGED.

1st. What is ye scituation of the Colony under y^r Gov^{mt}?

The boundaries of ye Colony of Virginia as first Established by chart of James 1st 1606, were from Cape Comfort to Cape Henry 200 miles N. & 200 miles S. along ye Sea Coast, & W. to ye S. Sea including all Islands in both Seas lying wth in 100 miles of ye main Land. But ye Boundaries of Virg^a now are Easterly ye Atlantick. On ye S. a line due west from ye mouth of Currituck Inlet in ye Latitude 36^d 30^m dividing Virg^a from Carolina on ye North a Line from ye Sea through ye Eastern Shore to & Cross ye Bay of Chesapeake to Watkins' Point on Potowmack in ye Latitude 37° 37" & thence up y^a River to ye true meridian of ye first Fountain of it afteryond w^{ch} Virginia resumes its ancient Breadth & has no other Limits to ye W. than what its first Royal charter aloted viz. ye S. Sea including ye Island of California. But accounting its breadth from ye Carolina Line to ye first Fountain of Potowmack on ye North it will Extend on the Back or Western Side of Maryland to ye 39° of N. Lat^d. This scituation is under ye same Parallell wth some of the finest Countries & doubtless is capable of ye same Product.

(Describes ye Climate &c.)

What is ye Constitution of the Govern^{mt}?

The Const. of ye Gov^t resembles G^t Brit^a as near as may be: 1st in the Point of Legislature ye Gov^r in Place of ye K^t has the Power of calling, Prorogueing or disolv^g Gen. Assemblies w^{ch} represent ye Parliament. This Assembly consists of 2 H. Ye upper is composed only of ye council in number 12, who are of ye Principal Gentlemen of ye Country, & who are supplied from

time to time (in vacancies) by K^e nomination under his sign manual. The lower H. ye H. of B. is composed of Representatives chosen by ye majority of ye Freeholders, two in each county. One for W^mburgh, one for Norfolk, one for Ja'stown & ye Coll. Wee have now including ye North Neck 44 Counties, which makes ye number of B. 92. All Bills for laying duties on Commodities & Taxes on the people take rise in ye H. B., and generally all Bills prepared on petitions or Representations of ye People are first moved there; but either H. may frame Bills as they find most expedient for ye publick service. The Bills pass through ye like Forms as in Parliament, & when passed both H. are enrolled for ye Gov^r assent commonly given ye last day of the session.

But ye Gov^r has a negative & may reject any bill he thinks fitt. For ye administration of Justice there are held monthly Courts in each County by persons commissioned by ye Gov^r, who not only have ye power of Justices of ye Peace but have cognizance of all suits of wh^t value soever arising within their respective Jurisdictions, both at com: Law & Canc: excepting only such criminal offences as are punishable by loss of Life or Member. For ye city of W^m there is also a Court of Hustins, held monthly before ye mayor & aldⁿ for tryal of all suits at C. L. arising wth in town & not exceeding 20 £ or its value. Ye same for Norfolk. There are ye Inferior Courts of ye Gov^{mt} & from these Appeal lies in ye g^l Ct. appell^t giv^g security to Prosec^t wth effect.

The Gen. Ct. consists of ye Gov^r & Council, any 5 of whom make a Quorum. This Court hath Jurisdiction of all Causes Real, Pers'l & mixt at C. L. bro't thither originally not under $\text{£}10$ ster; or by appeal or supersed^a (wth in ye nature of a writ of error) from ye Inferiour Courts. All criminal offences are here tryable & it is also a Court of Canc: for matters of a great value but by act of A. as appeal lies from an Inferiour Court unless ye Debt, Damage or thing in Demand Exclusive of Costs exceed ye value of $\text{£}5$, excepting only wth the Titles or Bounds of Land are in question, & appeals lie to K^e in Cⁱ for $\text{£}300$ ster: or upwards. There are two C^{ts} of Oy^r & Term^a held yearly ye 2nd Tuesday in June, & X^a for trying all criminals y^t happen to be committed after the respective Gen: Co^{ts}. Ye Judges here

are only such as are members of ye Councill & sitt by ye Gov^r commission pursuant to his Majesty's Instruct^a. For punishing slaves for capit^l Crimes a commission of O. & T. issues from ye G^r to ye Just^s of ye County where ye offence is committed by proof of Evidence without any Jury, & on conviction they award ex^a & set a value on ye slave, which is afterwards paid to ye owner by ye G. A. as an encouragement to People to discover ye villanies of their slaves. For breaches of the act of Trade & for determining controversies concerning salvage, mariner's wages & other maritime affairs, there is a Court of admiralty held before a Judge constituted under ye Seal of ye high Co['] of adm^y of G. B.; to this Co['] belong an advocate, a Register & Marshal appointed by ye Gov^r who is also by a * * vice admiral of all ye Seas, Riv^{rs}, Creekes & Coasts within his Gov^{mt}. This Court is only held as occasion requires & an appeal lyes to ye K. Council. The Gov^r has also a Com^a for trying Pirates.

There is also a Co['] of ye commissary of ye L^d B^p of Londⁿ w^{ch} only meddles with the Punishment of the Immor^t of ye Clergy, & proceeds by monition, suspension or Deprivation according to the offence & an appeal lyes to the Delegates app^d by K^a Com. in England.

The Governour is invested with a Power Pardoning all Crimes except Treason & willful Murder, & in these he has a Power of suspending ye execu^a by reprieve till his Maj['] Pleasure is known. The Gov^r can remitt all fines & Forfeitures accruing to ye Crown to ye value of £10 ster: & if above he may suspend the levying till ye K['] pleasure be known. But the inhabitants of ye N. Neck are to be excepted ye Proprietor whereof has by his Charter all the Fines & Forfeitures Felons good & deodances within the Limits of his Grant.

For matters of State there is a Council appointed by ye K. to be assist. with their advice to ye Gov^r in all things touching his Maj['] service viz. the disposing of his Lands, manage^{mt} of his Revenue, nominating or Remov^l of J^s of Peace, Sheriffs, coronors, or other officers of trust who receive ye Com^a from ye Gov^r for ye better ordering the tributary Indians & making War or Peace with foreign Indians & various other Matters w^{ch} concern the Publick Quiet of ye Gov^r & do not fall under the direction of Positive Laws. There is no Sallary annexed to this

office, but as the Council compose the upper H. of A. & are also Judges of the Gl. Ct. there is an appt. of £600 p an: out of ye settled Revenue wth is proport^d & divided among them according to their respective attend^{ce} on these two Services. And such of them as attend at the Ct. of O. & T. have their Proportion of £100 allowed out of ye Revenue for each Court.

What is the Trade of ye Colony? &c.

The Trade of ye Colony exclusive of y^t carried on in British shipp^s (one year wth another about 46,000 HHs of Tob^o) has been very inconsiderable and uncertain during the War, so as not to bee worth notice. The next year y^t L^dships will have a more encouraging account of it, for since the Peace it begins to revive and many ships have been and are building as well for Merch^{ts} in G. B. as Traders in Virg.

What Quantities & sorts of British Manufacture?

The People of Virg^a are supplied wth all sorts of woolen manufacture such as Broad cloths, Kersies, Duffils, Cottons, Crapes, Ruggs, Blankets, Norwich & other stuffs & stockings, wth all sorts of Linnins as well of Germany & Scotland as of British & Irish Manufacture, with all sorts of household Furniture & wearing apparel, wth callicoes, Persians, Taffaties & other E. India Silks: wth all manner of Iron Ware such as Locks, Hinges, Nails, Carpenters, Joyners & Smiths Tools, Axes, Hoes, Fire Armes & small anchors and in general with Wines Spices, Fruit, loaf sugar & other necessarys for Familys. The value of w^{ch} may be computed at £150,000 p. An., & I am persuaded would be much more, were it not for the additional Duty of 1^d p. t. upon * * * staples w^{ch} oblidges the Virginians to content themselves wth bare necessities. This is a Barter that well deserves ye consideration of those concerned to promote commerce.

What Trade has ye Colony under your Gov^{tn} &c.

There is no Trade hence to any p^t of Europe but G. B^t little that has been done during the war to Madeira, and to ye settle^{mt} of Foreign Nations in America this Colony hath had no comerce. The Trade carried on to Surinam & Curaco, Dutch, & to Martinico & Guardaloupe, French, have been discontinued; wth all

these Places we did formerly & shall now again exchange Corn, Pease & Pork, for Wine Rum and Molasses.

What methods are used to prevent illegal trade? &c.

For preventing illegal Trade the only method that is or can be used is ye diligence of ye Collectors & Naval Officers in their several Districts, strictly to inspect the cockets & certificates of the several vessels trading hither & to examine w^t comodit: are landed out of them. Several ships & vessels have been seized & condemned, & one not long since worth about £1800. But after all it is impossible altogether to prevent the running of small quantities of prohibited goods when there are so many landing Places remote from the Inspection of any officer.

What is the Natural Produce? &c.

This Country produces all manner of Timber fit for building of ships, Masts, yards & Boat sprits, Clap boards & shingles fit for Houses; Pine Staves & Heading wth in peaceable times exported to the W. I. wth Pork (one of ye principal supports of ye Colony) wheat & Indian Corn, Pitch & Tar is manufactured & sent to Britain; besides Walnut Plank, snake root, Sassafras, Myrtle wax, Bees wax, Tallow of wth no certain computation can be at present made.

What mines are there?

There are only two Furnaces for smelting Iron ore, & I am told of a Copper mine just discovered; w^t it may turn out Time must shew. There are also many signs of Lead, Tin and antimony in places near the Great mountains, but for want of persons skilled in the searches & monied men to carry them on, in all Probability they will remain in the same state many years. We have likewise a Paper Mill.

What are the number of Inhabitants?

The Rules for 'computing ye no. of Inhab^s' is by a List of Tithables on wth ye Publick Tobacco Taxes are laid. These are all white male Pers^{ns} above 16 y^r old & all Blacks, male & Female above y^e age; of these there are now about 85,000, & of y^m 40,000 may be reckoned Blacks, accounting therefore ye white women married & unmarried, & ye white & black chil-

dren under 16 to be treble the no. of ye white Tithables, ye no. of souls in Virg^a will be about 135,000.

Are the Inhab^t increased or decreased?

Without all doubt the Inhabit^t are greatly increased & in all likely hood will continue to do so, tho' for 2 or 3 years p'd a malignant Fever & ye S. P^t occasioned a Mortality in whites & Blacks, but ye no. of Negr^t & sev^t we may in peace expect will be imported, together wth the early marriages of the males & ye aptness of ye Females for generation in both complexions must necessarily occasion a great increase of People in a country free from much Luxury, & where Nature furnishes the requisites of Life wth less Labour & vexation than in many other Places.

What is the number of Militia?

The Militia is ab^t 8,800 Foot or 176 companies, & ab^t 5,000 Horse or 100 Troops; they are made up of all free male Persons above ye age of 21 years & under 60, for ye better regulation whereof each Co^y has its Co^y Lieut., a Co^l, Lt.-Coll. & Maj^r, & some Large Con^t, 2 Maj^rs, one of Horse & one of Foot, & under them are ye Capt^t & a subaltern who train & exercise their Men at their Private Musters. We have to these an adjutant p^d by ye Gov^{mt}, whose business it is to attend ye Gen^l Musters & to instruct officers & sold^rs in the use & exercise of ye arms. The Militia will be constantly Kept under regular Discipline, and the Common Men will be improved in their Manner, wth want not a little polishing.

What Forts? &c.

We have but one Fort & that was finished ab^t 8 years. We had before no other Places of Defence than naked Batteries of Guns wth only served to protect ships ag^t Pirates or Privat^t, but no way defensible against an Enemy yt came wth force suff^t to attack them by Land.

This Fort is built at the mouth of James River & as it stands on a Point yt lies close in wth ye channel of ye River & has 22 guns, no ship can pass it wthout running the Risque of being sunk. It is to be wished this country were in a condition to

build more such, but that is an undertaking too great for the small sums ye Assembly are permitted to raise.

What no. of Indians?

The Indians tributary to this Gov^t are reduced to a small number, ye remains of the Meherins are by running ye dividing Line * * * * of No. Carolina. Ye * * * * & ye other petty * * * * being distributed by the Tuscaroeres are retired out of Virg. to ye Catawbaus, so yt there remain only ye Pamunkies on York River & they not above 10 Families, & the Nancemonds & Nottoways on ye So. side of Ja^a River whose strength exceeds not 50 fighting men, with a very few on ye East^a shore that are seated amongst ye English Settle^a & keep a friendly correspondence.

What is the Strength? &c.

We have no Indian Nation of any strength nearer than the five Nations under the gov^{mt} of N. Yk. on ye Nor. and ye Catawb^a and Cherokees on ye S. W. within ye gov^t of No. Carolina both of them between 3 and 4 hund: miles from ye Inhabitants of Virg^a.

What is the strength of y^r neighboring &c., & what an effect have ye F^r & Sp. settlements? &c.

These two Queries in one answer.

Virginia is so remote from within ye Fr. or Sp. Settle^{mt} on ye Continent of America y^r y^{rs} no communication between us or either of them. Ye nearest to this Colony are ye French if at this time they have any settlements on the Lakes, but if they only possess their Fort at Lake St. Clair, notwithstanding our W. boundary will be so greatly enlarged, they will still be about 100 miles distant; it is certain their Traders between Canada and ye settlements on Mississippi make their Rout nearer to us, and that in their passage they make use of two Rivers w^{ch} have y^r sources in the Virg^a mountains called ye Miamis and ye Onebache.

What is the Revenue? &c.

The Revenue arising w^{thin} ye Govern^{mt} is 2s. sterling on every

H. H. of To^o exporting abating an allowance of 10 p. C. to ye Masters of Ships for paying it in Bills of Exchange.

2d. 15^d p. Tunn on all shipps and vessels trading here comonly called port duties.

3d. 6 p. head for every passenger imported here.

4th. Fines and forfeitures for breach of penal Lawe, contempts of Courts of Justice, breaches of Peace or conviction for Felonies or Tresspassers.

5th. Rights for taking up Land wth is 5s. for every 50 acres.

The three 1st Branches of this Revenue are appropriated by ye act of Assembly for raising the same as are also forfeitures for breaches of the penal Lawes for and towards ye supp^t of ye Govern^{mt} and its contingent charges.

The casual fines and forfeitures in the 4th Branch were first appropriated to support of Gov^{mt} by warrant from K. Ch. 2, and have continued ever since.

The last Branch of ye Rights were established by order of the Governor & Councill in 1699, to supply ye defect of Importation Rights on wth only people were then sent constituted to take up Land and since yt time has made a considerable addition to ye Revenue. All these Branches amount one year wth another to £5,000 p. an. or near yt sum.

What are ye ordinary and extraordinary Expence of ye Gov^{mt}?

The ordinary Expenses of the Gov^{mt} including ye Go^o Coun^l and all other the established officers Salaries amount to £3,377 P. an. Ye extraordinary Expences are not any way to be computed because they rise or fall as the exigencies of the Gov^t require; but if it be demanded what the casual expenses be valued at, when no extraordinary accident happens, it is answered that the charge of Expresses and messengers, of repairing the Gov^{mt} House and other incidents come to about £300 p. an., but on extraordinary occasions such as alarms of Indians by land, or Ennemies by Sea, repairing of Batteries, removing of * * * amunition &c. from one Place to another * * * * different Parts of the country for ye militia, these and such like services have cost double that Sum.

Gov ^r Salary,	£2,000
Council,	600
Judges & Officers of C. of O. & T.,	200
Auditor-Gen'l appointed by Pat. under G. Seal,	100
Sollicitor of Virg ^a aff ^r app. by ye Governour,	100
Attor. Gen'l app ^d by Kg.,	75
Clerk of ye Council by Gov ^r ,	100
Adjutant by ye Gov ^r ,	150
Armowrer by ye Gov ^r ,	12
Gunns at ye severall Batteries,	40
To ministers for preaching 6 times at 40 s.,	112
	<hr/>
	£2,389

Farther allowance for each Sermon preached during the sitting of the Assembly.

What are the Establishments civil and military and by what Authority do the officers hold their Places?

The Sec^r General by warrent under ye K^a sign manual has a salary of 5 p. C. on all money he receives.

The Deputy Auditor acts by Com. from ye Auditor General of the Plantations and has ye like salary of 5 p. C. on all ye Revenue he audits.

The Comissary app^d by ye Bp. of London has an anual Salary out of his Majesty's Quit rents of £100 p. an.

The attorney General has an additional Salary out of ye same land of £75.

These are all ye annual establishments charged on ye stand^a Revenue. Here's also a Revenue of 4^d p. Gallon on all Liquors imported from any place G. Br. excepted, wth brings in about £3000 pr. annum and must produce a much larger income in time of Peace, this is appropriated to such uses as the G. A. thinks fit, for lessening the Levy and Pole and is applied to- wards paying for Negs. Crims. Cond^a and Execut^a & for defraying the charges of the officers. * * *

To ye Colledge of W. & M.,	* *
To ye Keeper of Magazine,	* *
To ye armour and for cleaning arms,	20
To ye Keeper of the Publick Sail,	25
To ye Keeper of the Capital,	15
	<hr/>
	820

The officers of ye Genl. Assembly having no standing Salries annually are paid proportionably to ye Length of each Session.

Of this Revenue the Speaker of the House of Burgesses is Treas. and has 5 p. C. for all monies he receives wth is also to discharge the following Demands, viz:

The Burgesses Wages.

The Repairs of Capital.

The Charge of Prisoners.

The Printer for Printing all Publick Papers.

Gov^r Virg^a answer to Queries from Ld^a of Trade about the state of the Colony.

S^r WM. GOOCH, Bar.

The Trade of this Colony is principally conducted by Ships from B. I suppose not less y^a 120 sail are loaded here annually wth ye Produce of this Dominion. Ye trade exclusive of ye above consists of about 60 sail ships, scows, Briggs, schooners and sloops wth are navigated by 500 Sailors, besides ye small shallops wth are constantly employed in transporting ye comodities from one River to another, and in loading the ships bound to G. B. The Trade in general has greatly increased for these last 10 years and is chiefly supported as to ye shipping with things from G. B. to James town of at least £300,000 sterling. The Trade from this is chiefly to G. B. and ye Br. * * * sometimes Wheat, Slaves &c., Lisbon. The produce of this Colony and its * * may be computed as follows:

50,000 HHds of Tob ^o @ 6£ Sterl.,	.	.	£300,000
10,000 Barr Pitch and Tarr @ 8s,	.	.	4,000
4,000 TT. Pig Iron at 5£,	.	.	20,000
40,000 Bar's Wheat @ 2s. 6d,	.	.	6,000
10,000 lb. Bees Wax at 12 ^d ,	.	.	12,500
30,000 Beef and Pork @ 40s,	.	.	60,000
Pipe, HHds, Bill. Staves with Shingles,	.	.	10,000
Snake root, Ginseng &c.,	.	.	2,000
			<hr/>
			£434,000

The number of Inhabitants from the most exact account I can get of Wh. and Bl. are 230,000 and increase.

The Militia may now amount to 25,000 men from 21 to 60 years of age.

The establish^{mt} * * * * revenue amounts to 4,345 £ P. an.

WILL OF BENJAMIN HARRISON.

In the Name of God Amen!

I Benjamin Harrison* of Berkley in the County of Charles City and Parrish of Westover, Gent., being of perfect sense and memory, ordain this my last will and Testament. Imprimis I Give and bequeath my Soul to Almighty God who first gave it its being, in sure and certain hope of a Joyfull resurrection thro' the death and Passion of my blessed Saviour Jesus Christ, My body to the Earth from which it was first taken, to be decently buried on Berkley Plantation near my little dear son Henry's grave, at the Discretion of my executor hereafter mentioned, and as to all my worldly goods with which it hath pleased the Almighty to bless me my just Debts and Funeral charges being first paid, I Give and dispose of in the following manner:

I give and bequeath unto my well beloved wife one equal third Part of the neet proceeds or profits of my whole Estate during her Natural life, and forasmuch as my wife hath at all times behaved in a most dutifull and affectionate manner to me and all—allways been assisting through my whole affairs, I therefore think proper to Give to my dear wife as a small requital over and above the Thirds of my Estate as aforesaid, the use and occupation of the Plantation whereon I now live, comonly called Berkley, with all the Slaves Properly belonging to the Crop of the said Plantation, with all my household furniture of what kind soever and house Servants, except my Cook wench Patty and her children and the boy levy son of Sarah, which Slaves I would have to go to my son Benjamin on his being of age; I also give to my wife the use of all my plate and kitchen

* Benjamin Harrison, of "Berkeley," Charles City county, was son of Benjamin Harrison, of the same place, who was Speaker of the House of Burgesses and Attorney-General, and his wife, Elizabeth, daughter of Lewis Burwell. The son, Benjamin Harrison, was a member of the House of Burgesses at the time of his death, and in the journal of the session of 1744 is mention of a new writ of election for Charles City, to supply his place. He married Anne, daughter of Robert Carter, of "Corotoman."

Furniture as also the use of my flocks of Cattle, Hogs, Horses and Sheep upon the said Plantation, all which said gifts I give to the use of my Said Dear wife so long as she shall remain a widow or shall abide on or inhabit the said Plantation, with full power to Cut down and make use of any Timber or Wood either for building or repairing, makeing fenceing or firing, or any other use whatsoever for the said Plantation of or from any Part of my Estate in Charles City County Dureing the time aforesaid, she allowing yearly out of her own Estate Nine thousand Pounds of good Crop Tob^o in Nine Cask to be thrown into two thirds of my estate which is hereafter Ordered to be dvided amongst my children untill my Son Benjamin shall come to Age but no longer, and after her decease or Nonnresidence as aforesaid the Premisses to go and descend to my well beloved son Benjamin Harrison* and to the Heirs of his Body Lawfully begotten forever. I also Give to my Wife my Coach, chariot chair, Six horses and all Furniture thereto belonging as also all my Saddle horses, Mares and Colts on the Said Plantation, together with her Gold Watch and all Jewels now in her possession.

Item. I give and bequeath unto my son Benjamin Harrison all that Tract of Land commonly called Berkley and Kimadges †

* Benjamin Harrison, of "Berkeley" (1726-1791), signer of the Declaration of Independence, and Governor of Virginia.

† An act was passed by the Assembly in 1752, which recited that John Bland, late of London, merchant, was in his lifetime seized of a tract of land in the parish of Westover, county of Charles City, containing 8,000 acres more or less, known by the name of Kymages; by virtue of a conveyance from Edward Bland, dated March 20th, 1674, and by his last will, dated May 3d, 1680, he devised said land to Sarah Bland, his relict and executrix, and Thomas Povey, Esq., his executor; and that these persons, by deed March 25th, 1681, conveyed to Edward Bland and his heirs 2,000 acres, being part of the said 8,000. The said Edward Bland died seized thereof and died intestate, and leaving a widow, Margaret, and two children, John and Sarah. The said Margaret afterwards married Thomas Tanner and also survived him; the son, John, died intestate and without issue, and his sister, Sarah, became his heir. She married, first, Edward New, late of the county of Charles City (by whom she had a son, John), and married, secondly, Alexander Horton, late of Charles City, deceased. The said Alexander Horton and Sarah, his wife, by deed February 6th, 1722, and for the consideration of 1,530 acres on Hunting Quarter Swamp, Surry county, and £50 sterling, con-

and also that whereon my mother formerly lived as also the Gleebe Land bought of the Parish of Westover in the County of Charles City, to him and his heirs of his Body lawfully begotten Forever. I also Give to my said son Benjamin the land called Bicres with the Land Escheated of John Resbie and all my land on the South Side Nottoway River belonging to the Chiticorah Tract and all the additional Surveys made adjacent thereto, and all my Lands at the Falls of James River bought of Davis and others with the slaves and stocks thereon to him and his heirs forever.

Item. I givē unto my son Carter Henry Harrison* all my land at Willises Creek with all the Slaves and Stocks thereon, and all the Land called Scotland Neck and the slaves and stocks of all sorts thereon to go and descend accordingly to will of the Hon^{ble} Robert Carter Dec'd.

Item. I Give unto my son Henry† all that estate of Land on the South Side Nottoway River by Peter's Bridge being Seven Plantations with all the Slaves and Stock of all Sorts thereon to him and his heirs Forever, and the Mill thereon, I also give him the Tract of Land lying on Nottoway on the North Side the River at Peter's Bridge to him and his heirs forever.

veyed to Benjamin Harrison, Esq., late of Charles City, two-thirds of the said 2,000 acres and the reversion to the other third; and that Margaret Tanner also, by deed August 6th, 1723, conveyed her life interest in one-third of said land to said Benjamin Harrison, for a consideration of £30 sterling. It is also stated that Benjamin Harrison by his will, dated October 7th, 1743, devised the said 2,000 acres to his son, Benjamin Harrison, who was the present possessor; but as several law suits had arisen, the said John New claiming the land as an estate tail, now in order to settle such dispute Benjamin Harrison the younger agrees to convey to John New 700 acres of land and a water grist mill in Henrico County, and negro slaves to the value of £350 current money of Virginia.

* Carter Henry Harrison, of "Clifton," Cumberland Co., who was a member of the Cumberland County Committee of Safety 1775-6, and of the House of Delegates 1784, &c. He married Susanna, daughter of Isham Randolph of "Dungeness," Goochland.

† Henry Harrison, lived at Hunting Quarters, Sussex Co., and died July 28th, 1772, (*Parish Register*). He married —, daughter of Cyril Avery. For descendants see Appendix to Keith's "Ancestry of Benj. Harrison."

Item. I give unto my son Robert Harrison* all my several Tracts of Land lying at the Falls of Appomattox River bought of Abraham Cocke, Christopher Herntory, Thomas Williams, James Munford and Richard Smith and the lots bought of Abraham Jones and that in the Town of Petersburg and the Slaves and Stocks of all sorts thereon, and also the remaining Part of Chitecorah Tract lying on the North Side of Nottoway River with the Slaves and Stocks of all Sorts that shall be found thereon, to him and his heirs forever.

Item. I Give unto my son Nathaniel† my land at Amelia Court house and all the Slaves and Stocks thereon. I also give unto my said son my land at Great Creek, and Meherrin (Vizt) the Tract whereon Benjamin Harrison is overseer, that where Clayton is overseer, with all the Slaves and Stocks thereon to him and his heirs forever.

Item. I Give unto my son Charles‡ all my Land Secarnis with all the Slaves and Stocks thereon and the Land called the ——— Allen Tract. I also Give to my said son all the Lands that will fall to me by the death of Mr. Willis (To-wit) Cabbin Point Mill and that at Huntington, with all the Keepers thereof, to him and his heirs forever, and my desire is that there may be Five Slaves bought (Vizt) three women and two men as soon as Conveniently can be to Full slave the three Plantations on Secarnis. And my desire is that so many Slaves as shall be occupied on the Pond Quarter and Black Water, at the death of Mrs. Willis, shall be and belong unto my said son and his heirs forever.

* Robert Harrison was the father of Collier Harrison of "Kittewan," Charles City Co., and Braxton Harrison of "Farmers Rest." For descendants see appendix to Keith's "Ancestry of Benj. Harrison."

† Nathaniel Harrison, born Sept. 30, 1742, died Dec. 24, 1782; married 1st Mary, daughter of Edmund Ruffin of Prince George; 2d Anne Giliham. He was a member of the State Senate 1780, &c., and Sheriff of Prince George 1779-80. For descendants see Appendix to Keith's "Ancestry of Benj. Harrison." A miniature portrait of him is preserved.

‡ Charles Harrison, Colonel of Artillery in the Continental Line, married Mary Herbert, daughter of Colonel Augustine Claiborne, of Sussex county. For descendants, see Keith.

Item. My will and desire is that the mulatto man John shall be for the sole use of my wife so long as she shall be a widow, and that the rest of my Sawyers, Carpenters and Coopers shall be used for the use of my Estate in general until my son Benjamin comes of Age, and then to go to him and his heirs forever.

Item. I give unto my son Robert my Tract of Land on Brunswick Creek, lying at the mouth of Great Creek, containing seventeen hundred acres, be it more or less, to him and his heirs forever. I also give unto my Said son Robert my mill on Harry's Swamp with the Land thereto belonging, being three hundred and Fifty Acres more or less, to him and his heirs forever.

Item. I give unto my son Benjamin all the Negroes and Stocks of all sorts upon the Six Plantations that now are Settled on my Berkley and Kimadges Tracts, to him and his heirs forever; and whereas I have given my Manor House and Plantation to my wife on terms as above to ascertain the bounds, my meaning is that from the upper bounds of the Glebe shall be the Eastward Limits, and from thence as the Shirley road runs to the Ford on Kimadges Creek, containing all the Land between the Glebe Road and the River, and if by Experience that should be found too little I add to it that Land on tother Side the Road called Woodfords.

Item. My will and Desire is that the Land I bought of William Glover whereon my Surry Store stands be sold, and the Slaves thence be Immediately removed to that Part of the Chetecorah tract given my son Robert for him and his heirs forever, and the money arising By the Sale of the Land to be laid out for Negroes for the Same uses, To wit, for the better Settling the same Part of the Chetecorah Tract.

Item. Forasmuch as there are a great Number of Slaves which, after the Death of Mrs. Elizabeth Willis* relict of Henry

* Henry Harrison, of Surrey county, uncle of Benjamin Harrison, of Berkeley (the testator), was appointed to the Council in 1730 and died in 1732, leaving his estate to his nephew, Benjamin, though reserving a large portion to his wife during her life. From the old family bible of the Smiths, of "Shooter's Hill," Middlesex, it appears that Elizabeth, daughter of John Smith, of "Purton," Gloucester, and his wife, Mary

Harrison, Esq., Dec'd, and by the last Will of the said Henry Harrison, are to revert to me and my heirs, my Will and desire therefore is, that when the estate in Negroes shall revert by the death of the Said Willis now in possession, that then the Said Negroes shall be divided into six as equal Parts as Possible, Without Parting men and their Wives, by three able and discreet persons to be appointed by the General Court, which division being made my will and desire is that three already Given to my son Charles go in Proportion to his Part, that my Son Benjamin have the first choice, and the Rest of my six sons to choose according to Seniority, which Negroes I Give to them and their heirs forever.

Item. I Give unto my sons Carter Henry and Henry, to be equally divided between them, all the house hold Plate that belonged to Henry Harrison, Esq., dec'd, now in possession of Mrs. Elizabeth Willis his relect, and after her death to revert to me, as will appear by an Instrument of Writing between the said Willis and myself recorded in Surry Court.

Item. I Give and bequeath unto my Daughter Betty Harrison* one thousand pounds sterling including my mother's Legacy of two hundred pounds that is to say five hundred pounds to be paid by my Executor within Twelve months after she shall arrive at the Age of twenty-one years, or be married, and the other Five hundred Pounds within three years after, and also I Give to my Daughter Betty these several Slaves following and their increase to-wit: Liddy, Charlot and Cate, the Daughter, of Aggy, to her and her Heirs forever.

Item. I Give and bequeath to my Daughter Anne† the sum of one thousand pounds Sterling, Five hundred to be paid by my Executors within Twelve months after she shall arrive to the

Warner, was born May 25th, 1690, and married April 1st, 1708, Henry Harrison. There is recorded in Prince George a deed dated 1738, from Francis Willis and Elizabeth, his wife, and Benjamin Harrison, executrix and executors of Henry Harrison. For epitaph of Henry Harrison, see *Southern Literary Messenger*, IX, 728.

* Elizabeth Harrison married Peyton Randolph, President of the first Continental Congress. Her portrait is preserved.

† Married William Randolph, of "Wilton." Her portrait is preserved.

Age of Twenty-one or be married, and the other Five hundred pounds within three years after that. I also give to my Daughter Anne a negro girl named Dorcas to her and her heirs forever. The Thousand pounds is to be with my mothers Legacy — hundred Pounds inclusive.

Item. I Give to my Daughter Lucy Eight hundred Pounds Sterling including my mother's Legacy, to be paid her in four years after She arrives to the Age of twenty-one or is married. I also give to my said Daughter Lucy these Slaves and their increase, to-wit: Aaron, Hannah the Daughter of Tamer, and Martha the Daughter of Bess, to her and her heirs forever.

Item. I Give to my Daughter Hannah Five hundred pounds Sterling including my mother's Legacy, to be paid her within three years after she arrives to the Age of twenty-one or married. Also a negro Girl Suekey, the Daughter of Bess and her increase, to her and her Heirs forever.

Item. My will and desire is that my whole Estate shall be Kept entire until my Debts are paid, and the two Eldest Daughters Fortunes are raised, and until my son Benjamin comes of Age, and then whatever Legacys remain unraised the Estate of Each of my sons shall be Taxed in Proportion to their annual — for the Payment thereof.

Item. That the Guardianship and disposal of my children shall be entirely in the Power of my wife, and that they be Maintained and educated at her discession — of my estate; of whose prudence I have had sufficient Proof dureing her Life, that if my Daughters dureing their minority Do marry without first having had the Consent and Approval of my said wife, then they or every one of them so marrying shall forfeit all Claims or Pretensions whatsoever to all and every part of the Legacies given them, by this my will, and I doe heartily and Earnestly recommend to my said Children that they behave with Duty and obedience to their mother, and that they live in Love and Friendship with one another, and Lastly I doe hereby Appoint my Dear Wife Ann Harrison, and all my sons as they shall come of Age, Executors of this my Last will and Testament, and I further order that there be no Appraisement of my Estate nor Security given but her own. In witness whereof I have here set my hand and Seal this 17th day of October 1743, and I

utterly revoke all other wills by me heretofore made. This my last containing two sheets of Paper.

BENJAMIN HARRISON. [Seal.]

Signed Sealed &c. in the Pressence of Robert West, Joseph Royal, John Stith.

Charles City County ss.—August Court 1745.

The Afore written Last will and Testament of Col^o Benjamin Harrison Dec'd was Presented in Court by William Randolph Gent and Wife and Miss Betty Harrison, who made oath there and being proved by the oath of Joseph Royall one of the witnesses thereto is admitted to Record, and the said Joseph Royall also on his oath declarad he saw John Stith and Robert West the other two witnesses sign the said will as witnesses, and on the motion of the said William Randolph and Betty Harrison, and performing what is usual on such Cases, Certificate is granted them for obtaining Letters of Administration with the said will annex in due forme Durante Minori estate of Benjamin Harrison Son and heirs of the Deced'.

Test—

LEWELLIN EPPES, Clk. Curia.

Copy Test—

LEWELLIN EPPES, Cl. Curia.

CHARLES CITY COUNTY GRIEVANCES 1676.

[WINDER PAPERS—VIRGINIA STATE LIBRARY.]

To the Hon^{ble} Herbert Jefferies* Esq., S^r John Berry* Knt.,
 Frances Morrison, Esq^r, his ma^{ties} hon^{ble} Commissioners ap-
 pointed to enquire into the affairs of Virginia.

The humble Remonstrance and addresse of the Inhabitants
 of Charles City County within his ma^{ties} Collony of Virginia
 aforesayde.

May it please yo'r Hon'rs:

Although wee want words to Expresse the greate apprehen-
 sion and sence wee have and ought to have of his ma^{ties} Royall
 pittie, compassion and bounty to us his poore and unworthy sub-
 jects manifested in his princely wisdom and care taken of this
 his ma^{ties} Colony in appointing yo' Hon^{rs} his ma^{ties} worthy com-
 missioners for the ends and purposes mentioned in his Royal
 proclamation. And for his ma^{ties} unparalleled mercy, in soe
 frankly pardoning our many grievous crimes and disorders late
 committed to happening amongst us, and for other his acts of
 grace and bounty shewne us: yet since our silence in this case
 would not onely render us more contumacious than wee have yet
 bin, but in the highest measure ungrateful.

Wee humbly beseech yo' Hon^{rs} (since wee are not of ourselves
 able or worthy) for us and in our names, in the lowest and most
 submissive manner, to represent to our most gracious King our
 hearty and unfeigned sorrow and repentance for haveing soe
 highly offended his ma^{ty} as of late wee have done by our dis-
 order and contumacies.

And in the like most humble and submissive manner in our
 names to render his most sacred ma^{ty} all possible thanks that
 you in yo' wisdom thinke us capable of returning his ma^{ty} for
 his Royall compassion and bounty extended to us as afores^d;
 and withall for us and in our behalfe to promise unto his s^d ma^{ty}
 (as wee and each of us doe hereby engage and promise for the
 future) that wee will beare and behave ourselves faithfully,

* See notes at end of article.

loyally and most obediently, as becomes loyall and obedient subjects, both to his sacred ma^y and to all such as he shall please to put in authority over us.

Now for as much as (if wee misunderstand not his ma^{tie} royall proclamacon) his ma^y is graciously pleased in his Royall charity to think wee fell not into these late disorders and contumacies out of any evil will or direct contempt of his ma^{tie} Royall person or authority (as we hereby humbly protest wee did not), but rather that wee were mislead and seduced thereunto by specious though false pretences. And forasmuch as by yo^r Hon^r declaration of the 6th of February last past, wee were invited and required to impart to yo^r Hon^r our pressures or grievances and more p^rticularly such as wee conceive to have been the true grounds and originall occasions of these late troubles and disorders amongst us. Wee thereupon in the doeing thereof humbly beseech yo^r Hon^r to looke upon us, as wee are a handfull of poore ignorant and unlearned people, whose unskillfulness in the law, may Easilye lay us open to divers failings, especially when in these our addresses wee are to complaine of persons of such wisdom and authority as our hon^{ble} Rulers and Majestates are and have been off, and therefore wee further humbly beseech yo^r Hon^r to beare wth and pass by such particulars, or passages in these our addresses (if any such be found) as may give cause of offence wth we hereby protest we designe not, but have with all our skill and Industry endeavored to avoyde.

In most humble manner therefore wee protest that we intend not, nor pretend to the least justification of the late disorders or troubles am^o us, or any insinuations thereof by any thing shall herein be sayd, but with the like humility present that wee or most of us were informed as of a truth and seduced into a beleefe.

First: That S^r Wm. Berkeley, Knt., being by his ma^{tie} gracious commision nominated and assigned Govern^r and the s^d S^r William Berkeley Knt., Francis Morrison, Henry Browne,* William Bernard,* Thomas Pettus,* Henry Perry,* Edward Hill, Thomas Swann,* Esq., and Thomas Ludwell, Secretary, named and assigned to be his ma^{tie} councill for this colony,

* See notes at end of article.

giveing and granting unto them the s^d Govern^r and counsell respectively full power and authority to direct and governe, correct and punish his ma^{ties} subjects, which then did or should inhabite this collony in time of warr or peace, and to perform and execute all and every thing concerning this colony as any Govern^r and counsell resident here, within the space of thirty yeares then last past had or might execute. And that his s^d ma^y did by his s^d gracious commicon likewise give and grant unto the s^d Govern^r and counsell full power and authority that upon the death or discontinuance of any one of the s^d counsell here the s^d Govern^r and counsell for the time being, or the greatest part of them, should nominate and appoint such other able sufficient and discreet person in the roome and place of him or them soe dying or discontinuing, and that he and they should from time to time returne the names and quality of such person or persons soe elected unto his ma^y or the Lords of his ma^{ties} counsell for plantacons, to the end he or they soe elected might receive allowance or disallowance as there should be cause, or should see meete. By all w^{ch} wee verily hoped and were induced to believe that his gracious ma^y did take that princely and pious care of us his poore subjects, as not in the least to subjugate or leave us to the arbitrary will of the s^d S^r Wm Berkeley or any single person, but that the s^d S^r W^m Berkeley should be joyned to his ma^y s^d counsell here soe nominated and appointed, or to be nominated and appointed as afores^d.

Nevertheless (as wee were informed and seduced to believe) the s^d S^r W^m Berkeley mindeing and aspiring to a sole and absolute power and command over us his ma^{ties} subjects, greatly neglecting the assistance of his majesties s^d counsell in most weighty affairs (as in the nominating and appointing other fitt persons in the roome or place of those of the counsell soe nominated by his ma^y as afore^{sd} which are dead or absent) did take upon him the sole nameing and appointing of other persons in their room and place such as himselfe best liked and thought fittest for his purposes, and without the appro: of his ma^y or the Lords of his ma^{ties} counsell for plantacons, as by his ma^{ties} commicon (which he the s^d S^r Wm. Berkeley religiously swore to observe) he is enjoyned and commanded. And not herewith contented hath very often (as wee were informed and seduced to

believe) discountenanced and placed his frowns on such of them as he observed in the least to thrust or cross his humour, soe that if by chance he had at any time choice of a person of hon^r or conscience, that durst like a noble Patriot speake his minde freely for the good of his ma^y and of us his majesties poore distressed subjects, such person by some means or other was soone made weary of comeing to councell, and others overawed from the like boldness. And that the s^d S^r Wm. Berkeley haveing for the end and purpose afore^d for divers yeares last thus layde aside his ma^{ties} councell here, and in the stead thereof formed a councell of his owne, the better to support this his single power, hath likewise assumed to himself the sole nominating, appointing and commissionating of all commicon officers both civil and military amongst us (which power as we're seduced to believe is only granted to his ma^{ties} councell by his ma^{ties} commicon afore^d) and alsoe other offices of profit, which s^d several offices being by him the s^d S^r Wm. Berkeley (the better to increase the number of his party) multiplyed to a greate number, some of them as his councell, commissioners of the peace in the several counties and to twice the number they ought to be by law, all which offices he bestowed on such persons (how unfitt or unskillfull soever) as he conceived would be most for his designs. And that the more firmly to binde and oblige them thereunto and to allure others to his party, he the s^d S^r Wm. Berkeley permitted or connived at the persons soe commissioned by him (for the end and purpose afore^d) unwarrantably and contrary to his ma^{ties} the very fundamental lawes, to lay and impose what levies and imposicons upon us they should or did please, which they would often extort from us by force and violence, and which for the most part they converted to their owne private lucre and gaine. And that S^r Wm. Berkeley haveing by these wayes and meanes, and by takeing upon him contrary to law the granting collectors places, sherifs, and other offices of profit to whome he best pleased, he soe gained upon and obliged all or the greatest number of the men of parts and estates in the whole country (out of which it was necessary our representatives and Burgesses should be elected) hath thereby soe fortified his power, over us, as of himselfe without respect to our laws, to doe what soever he best pleased and from time to time (besides the

vast sums of To^{bo} and money raised for building of the towne and forte, neither of which were ever finished or made usefull for habitation or security, and for Tanworks, Weavers &c.) to gaine and procure greate quantities of To^{bo} and mony from us to his proper use over and besides the Thousand pounds yearly Sallary appointed him by the King's ma^v and over and besides the fees, profitts and per quissetts to the place of Govern^r belonging to the great impoverishment of this his ma^{ty} country. All which besides the great quantities of armes and ammunicon his ma^v hath been graciously pleased to bestow upon us, and hath been raised amongst us for magazines and stores, have (as wee have been seduced to believe) been embezelled and consumed betwixt him and his officers, and very few or noe good acts done for us or this his ma^{ty} country, but on the contrary the same made rather worse, more open to all invaders, worse provided with armes and ammunicon, much poorer and more unable to purchase them. Whereby we have been forced to submitt to the Invasions of our Enimies, as in the two late Dutch warrs, and in the present warr ag^t the Indians wee have woefully experienced. Nor hath there bin dureing the long Government of the s^t S^r Wm. Berkeley any competent security provided to defend the Merchants shipps tradeing into this country, though many vast sums have been raised on the people under the pretence of fortifications, and money's actually payd by all shipps in the name of Castle Duties, but on the contrary the gunns sent in by his ma^v for that end lye buried in the sand and rust to the great incouragement of any Invador, and the apparent hazzard of this his ma^{ty} Country.

All which grievances and pressures and many others we still should continue to have patiently suffered under (had the same been really true as we were seduced to believe as afore^d and it is possible on yo^r Hon^{rs} enquiry may be found to prove true) rather then in the least manner mannifest any contempt or disobedience to his ma^{ty} gracious Government, had he the s^t S^r Wm. Berkeley after all this been zealous or active in our defence or preservacon against o^r s^t Barbarous enemy the Indian, but when instead thereof we heard and found he not onely slighted and rejected the grate and lamentable cries of blood, rapine, devastacon, and distraction that came to his ears, from most parts of

this his ma^{ty} distressed country, and tooke noe sufficient course to prevent or revenge the same although, (as himselfe confesseth), he had notice of a very formidable body of Indians comeing downe upon James river within fifty or sixty miles of the English Plantacons that did lye hovering over us and could not guess where the storme would fall), but on the contrary threatened those of this County of Charles City that with humble peticon came voluntary to offer their service at their own charge, and the hazard of their lives and fortunes to defend themselves and us, and to finde out and destroy the enemy (onely desireing his leave or commicon, and to be ledd by any commander or commanders he should please to appoint) whom with threatening language and much scorne he rejected, and instead of granting their request, by proclamacon under great pennalty prohibited the like petitioning for the future, giving us thereby and the slight inquisition had been formerly made after the blood of our brethern (w^{ch} had been yearly spilt by the barbarous heathern) just cause to suspect that for the lucre of Gaine made by him and his friends by trading with them, and furnishing them with armes and ammunicon whilst wee ourselves wanted it he rather sought to protect them than us. And this wee were rather induced to believe for that after he had (to satisfye the cryes of the people who dayly sawe the traders issue forth quantities of arms and ammunicon to ye Indian) by his publeque proclamacon prohibited all trading with the s^d Indians, he privately gave commicon to trade to some of his friends, who accordingly did sell store of powder and shott &c. to ye Indians then in arms against us.

These things being apparent and many more insinuated into our beliefe, togeather with violent and deadly fears of danger wee apprehended from the Indian, many of ye people haveing left their plantacons and stocks and drawne togeather inwards to secure their wives and children, whose dayly cryes made our lives uncomfortable. To confesse the truth to yo^r Hon^{rs}, we doe acknowledge wee were soe unadvised then and not till then as to believe it our duty incumbent on us both by the laws of God and nature, and our duty to his sacred ma^{ty} notwithstanding his the S^d S^t Wm. Berkeley's prohibition and comands to ye contrary to take up armes, many of us for the

just defence of ourselves, wives and children and this his ma^{tie} Country ag^t ye Indians. Which afterwards we were the rather confirmed to believe for that he by his councell in May last owned the Pomunkey and other Indians his subjects for friends and allies, when himselfe in March before, in his letter to his Ma^y confesseth he strongly suspects that the bloody warr then raised on us by our barbarous neighbours was not any private grudge, but a gen^l combination of all Indians from New England hither! And for that same Pomaunkyes in March afores^d did own some Northern Indians their subjects (and subjection was by them to the Pomunkies acknowledged at ye same time) whom in February before a full councell of warr had found and determined to be the murtherers, or accessary by helping the escape and concealem^t of ye murtherers of about thirty people at one time on Rappahannock river the same month of February. And although he was truly informed (as by the s^d letter to his ma^y he confesseth) of several formidable bodies of Indians hired from remote parts comeing downe on the heads of James river within fifty or sixty miles of ye English plantacons and knew not where the storme would light; And wee knewe not how soone it might be our lott to fall into the hands and power of those barbarous Villanes, noe course being taken from w^{ch} wee well could hope for any security, that of erecting forts (throughout ye country universally disliked before the name of that Imposture Bacon was heard off) as being a matter from which (although a good use formerly) we expected great change and yet could not be advised in these times. The scituation of our plantacons invironed with thick woods, swamps and other covert by the helpe of w^{ch} our enimies might at their pleasure make their approaches on the most secure of our habitacons undiscovered (as too often and sadly have been experimented, they have done, not only on our frontieres, but in the very heart and midst of the country) their skulking nature apt to make use of this advantage, their promptness and readiness to fyre armes, with w^{ch} as with ammunicon they were better furnished by the traders then wee his ma^{tie} subjects, their boldness and dareing they have of late time arrived to, over what they have been formerly indued with; besides the cloggs and condicons w^{ch} by the power and pravaileing of the s^d S^r Wm. Berkeley

on the Assembly, were putt on the Garrisons placed or to be placed in the s^d forts, who were enjoyned not to make any attempt upon the Indians in case they should discover where they were, untill they should first give his hon^r an account thereof and receive orders from him therein, and the like restraint was putt upon all other commanders what ever. Soe that after all that charge likely to have accrued after all the trouble of the Congress of our forces, after all theire toyle and diligence used in findeing the enemy (who are seldome to be dealt with but in their owne way of surprize) the very point of execution was to be determined of by a person resideing in all likelihood at least 100 miles distant from the place of action, to the losse of opportunities and utter discouragem^t of our forces.

Of the slowe preparacon and ill managem^t of Garrisoning and erecting the s^d forts had they bin of that use and security as was intended; All these things considered, wee could not be advised they would be of any security to us save onely to the places they stood on, as by woefull experience proved true, when the Indians cutt off and distroyed divers people within a small distance of some of the forts some of the very souldiers therein; and wee of or great part of us forced (as is afores^d) by these terrors to forsake our homes, stocks of cattle and other comforts of life, and leave all to the merciless enemy, the souldiers in ye forts not daring to stirr out to relieve them. Yett did the s^d S^r Wm. Berkeley not only neglect the keeping of forces of himselfe on foote and in readinesse for the preventing the incursion and sckulking invasion of our s^d enemy's, which by his letter to his ma^y as afores^d he confesseth he was putt on an absolute necessity of doing (and in all probability he might at that time in greate part have effected) and was authorized to doe by the s^d act of assembly in March, and could at his pleasure on other occasions doe without the authority of the s^d act or any other but also utterly refused to permitt others soe to doe that were willing as afores^d, hinders the friendly Indians from assisting them, protecting our enemies then in our power, and as it was supposed furthers theire escape.

These wee humbly confesse were the greatest seducements that provoaked most of us at first to take up armes only against ye outrages, murders, rapine and destruction of our barbarous

enimies the Indians, which wee now brought to a right understanding, remember with shame & confusion, haveing now learned wee ought not to oppose his ma^{ties} Govern^{ment} under any pretence whatsoever, and hope his gracious ma^{ty} hath on our repentance pardoned.

But after that grand Imposture Bacon had by these & many other specious pretences too long herein to trouble yo^r Hon^{rs} which allowed many of us to joyne with him in the forceing his commicon. And that the s^d S^r Wm. Berkeley not only permitted the levying and raising not onely the thousand horse and foote compleatly armed and furnished with ammunicon, and all other necessary provisions, but wth great numbers of volunteers in several parts, but divers of his councill and all majestrates and Courts of Judicature assisted therein (as by the pretended act in June they were enjoyed) with out any declaration or prohibition of the s^d S^r Wm. Berkeley to the contrary for the space of one month or more, untill such time that ye s^d Bacon was by these means furnished wth ye power of the whole country, or the greatest part thereof, And was then arrived to that height of fierceness and cruelty he afterwards exercised over us.

Wee then as unable to resist his will and commands (how treasonable and rebellious soever) as his Hon^r had been in granting his commicon, or as divers of his councill were to withstand the oaths and subscription the s^d Bacon tyrannically & rebelliously imposed on them, and for feare of death were all of us forced to doe what we did in opposing the s^d S^r Wm. Berkeley's power, raised for suppressing the s^d Rebellion, which wee protest we would not otherwise have done, although we were informed that the pretended councill of S^r Wm. Berkeley being all of his owne election, and such as he judged would be subservient to his humour, and not of the free nominacon and election of his ma^{ties} s^d councill here, nor approved of by his ma^{ty} as they ought to bee, were not his ma^{ties} councill who ought to have authority or power to rule and Govern us, and that there was not then any councill here that had any lawfull authority to rule and governe us, and that without four at least of the King's s^d councill the s^d S^r Wm. Berkeley & of himselfe had noe lawfull authority to rule & governe. And that therefore the s^d S^r Wm. Berkeley's power and authority (according to his ma^{ties} com-

micon afores^d) by the death or absence of his ma^{ty} s^d counsell, and for want of due election and approbacon of other fitt persons in their roome and stead was ceased, determined voyd and null to all intents and purposes what soever. This is most certaine that the actions of S^r Wm. Berkeley at that time (when wee lay under those terrors and feares and in the very height of them from our enimies abroad) were by divers of his counsell looked upon as unreasonable and of dangerous consequence, as afterwards it appeared, for whether ever that Imposture Bacon intended to come downe into the country with his money is unknowe to us, but he had thereby a manifest pretence offered him to come downe into the bowells of ye country (and as he called it was diverted from ye guarding the frontiers) and the opportunity to committ those outrages which afterwards were committed and done almost to the utter desolation and ruine of this poore country. Thus humbly, submissively and with true sorrow wee have acknowledged to yo^r Hon^{ty} the causes and provocacon that seduced us or the most of us to the contumacy and rebellious attempts afore^d. Of all which wee humbly implore his gracious ma^{ty} most favourable opinion as not to think, what we did was done out of any disloyaltie to his ma^{ty}, the thoughts of which wee always abhorred, although we were by the diversity of p^rswasions and reports seduced soe wickedly to oppose the s^d S^r Wm. Berkeley as if the s^d reports be false we have done. The truth of which although (as we sorrowfully acknowledge) we have been soe unadvised formerly (in the frenzy which our greate and pressing feares brought us into) to take upon very slight credit, yett being now brought to an enjoy^{mt} of our right understanding we acknowledge above our Enquiry, and onely felt for the Indians and wise Enquiry's of yo^r Hon^{ty}.

And since yo^r Hon^{ty} are will^g to be informed of such other matters (besides what seduced us into the Rebellion and attempts afore^d) as have heretofore or at present doe agrieve us, which although they are and have been fitt for our Burgesses or Representatives manage^{mt} in the Assembly, yett since we have of late feared (if causelessly wee humbly begg yo^r Hon^{ty} and the assembly's pardon) that our s^d representatives (of which for this county in nine yeares time last past there hath been a verry doubtful election as we conceive) have been overswayed by the

power and prevalency of the s^d S^t Wm. Berkeley and his counsell (divers instances of which wee conceive might be given, and have neglected our grievances made knowne to them, and instead of getting us redress have made use of them to putt under their Pyes) we are moved humbly to present these following to yo^r Hon^{rs}.

1. That besides the great quantitys of Tob^o raised & payed for building and erecting of forts w^{ch} were never finished but suffered to goe to ruine, the artillery buried in sand and spoyled with rust for want of care, the ammunition imbezelled as afore^{sd}, great quantities of Tob^o have been raised on us his ma^{ties} poore Subj^{ts} for building work houses and stoare houses and other houses for the propagating & encouragem^t of handicraft and manufactory, which wee by our Burgesses to our great charge and burthern by their long and frequent sitting invented and proposed. Yet for want of due care the s^d houses were never finished or made useful, and the propagating & manufactory wholly in a short time neglected, and noe good ever effected for this his ma^{ties} plantacon save the particular profit of the Undertakers, who (as is usually in such cases) were largely rewarded for thus defrauding us. Thus the sum of 11,000 lb Tob^o was raised on this country for erecting a Tann house for the use of ye country w^{ch} Coll^o Ed^{wd} Hill the father received, and Coll^o Ed^{wd} Hill the sonn enjoyed and converted to his owne use without any account or satisfaction therefore given as wee can finde, but by the court of this county discharged, and wee utterly defrauded of the said summe.

That the commiconers or Justices of peace of this county heretofore have illegally and unwarrantably taken upon them without our consent from time to time to impose, rayse, assess and levy what taxes, levies and impositcons upon us they have at any time thought good or best liked, great part of w^{ch} they have converted to their owne use, as in bearing their expense at the ordinary allowing themselves wages for severall businesses w^{ch} ex officio they ought to doe and otherways as by account of the same on the booke for levies may appeare.

3. That the summe of 25,000 lb of Tob^o was afore^{sd} raised in

this country on us his ma^u subjects & payd to Coll^o Edrd Hill * and others for mending & clearing highways which wee ourselves at our owne charge and labor were forced to doe, he ye s^d Hill and they converting the s^d Tob^o to his & their owne use wth out any allowance or accompt for ye same to us.

5. That this County haveing been illegally taxed & forced to pay the sum of 33,322 lb Tob^o or very neere thereabouts, for erecting a small house (wth in the judg^{mt} of knowing workmen might have been done for less than 1,000 lb of Tob^o) of wth s^d summe of 33,322 lb Tob^o 21,373 lb was payd to Coll^o Hill afore^d, the remainder of the s^d summe was payd to severall others for the frame of the s^d house, boards, Covering, bricks and Bricklayer and playsterers worke, lime, shells, hookes, hinges, duff tailes, staples and for workmen's provisions, and ye worke of oxen which s^d house was first pretended for the accommodacon of the Justices. The s^d Coll^o Edrd Hill the younger haveing (by the severall summs of Tob^o thus by him received and gained as afore^d) obtained a stock whereby to enable him to sett up an ordinary, prevayles with the s^d commissioners first severally, and apart, then together, in court to constitute him Guardian, Warden, or Goaler of the prison, and to grant him a lease thereof for 21 yeares. And not herewith contented he the s^d Hill (minding covetiously to enrich himselfe by defrauding us his ma^u subjects) trusts divers, poore, idle, disolute persons with quantities of drink at his ordinary, which at his extraordinary rates come to great quantities of Tob^o more than they were able to pay, and then sueing them some to Judge^{mt} or which wee rather believe combining with them to confess Judge^{mt} for the s^d debts, and then causing them to be taken in execution, and he himselfe Goaler as afore^d suffers them to escape, and then compells us his ma^u subjects to pay their debts to the great impoverishm^t of this County.

6. That on or about the 25 of January last past, when the late commotions were appeased & quietted, the s^d Edw^d Hill without any warrant or authority unlawfully tooke upon him to raise by impress a company of men within this county to the number of 30 horsemen with their arms, whom he presumptuously did

* See notes at end of article.

take upon him to command and leade out of the county at his will and pleasure, and about his proper Private occasions to the great vexacon and oppression of ye s'd men, and contrary to the peace, and it hath been frequent with him to impress men in his Ma^{ties} name (when he and his friends were to go abroad on his Proper occasions, or to be merry), for to rowe the boate to their great oppression.

7. That the s'd Edward Hill covetously minding to enrich himselfe by the ruine of divers of us his Ma^{ties} s'd subjects, hath endeavoured most arrogantly to smother, conceale and invallid his Ma^{ties} late gracious proclamation of pardon, & by menaces and threats extorted divers composicons & Rewards from divers of us (not to informe against them as he sayd and to procure their pardon) namely from John Tate, Nevett (or Nerrett) Wheeler, John Harrison, John Sturdivant, Thomas Milton, Sara Weekes, John Baxter and his wife, John Higgledy and others although he well knew the s'd persons and every of them were not onely absolutely pardoned by the King's proclamacon as afore^d but also by S^r Wm. Berkeley's proclamation likewise, and the better to effect this his designe causeth one of his creatures or under officer to threaten some with imprisonment but for reading the King's proclamacon afore^d which was sent from Swan's Point. And the more to terrifye and affrighten his s'd Ma^{ties} subjects unto such composicon with him as afore^d by the harmes done to others in the like case, he the s^d Edrd Hill by his interest and prevallency with the s'd S^r William Berkeley procures warrants to be to him directed from the s'd S^r Wm. Berkeley for the siezing and securing ye persons and estates of divers in this county that had (and that he knew had) layd hold off and were pardoned by the Govern^r, and the King's proclamacions as afores^d, as namely of Thomas Blayton, Robert Jones, Anthony Haviland, ffrancis Weeks, John Sturdivant and Nevett Wheeler, the two last of which by composicon he released or procured their discharge, Haviland & Weeks pute in prison, this censured to banishm't, That brought to grievous Penalty and fined beyond his possibility, and before either of them were brought to any answer or heard what they had to say for themselves; and as to the s'd Blayton to worke his mallice on him for an old grudge, he the s'd Hill bore him, as will be proved to

yo^r Hon^{rs}, he the s'd Hill riggorously & unlawfully dealt with him, plundering part of ye s'd Blayton's goods, and in the like violent and unlawfull manner seizing and takeing from him all his books of accompts, deeds, leases, letters and all other his Writings and papers Whatsoever, not soe much as sparing the Papers in his pocketts, which with his pistoll cockt he forced from him, denying to lett him keepe a peticon he had prepared and drawne to the Govern^r for his discharge, & other papers concerning the same matter. As to Jones, his the s'd Hill's under officer dealt with the like riggor and cruelty with him, takeing away his servants, killing his stock, working his oxen and other hardships. All which proceedings of the s'd Hill and his under officer afore^d are highly repugnant, derogatory to his sacred Ma^y gracious proclamacon of pardon and mercy extended and granted to the poore inhabitants of this country, & contrary to the hon^r and faith of the s'd S^r Wm. Berkeley.

8. That the s'd Edw^d Hill contrary to his duty and trust in him reposed by the warrants afore^d, converted divers of ye goods by him seized for the use of the King to his owne use, and one hhd of Tob^o marked with the King's marke at Nevett Wheeler's, w^{ch} as he afore^d causeth to be struck out and his owne putt in the stead thereof. Alsoe from the widdowe Hunt one hhd of Tob^o (which after divers flattering argu^{mt} and proffers of favour, and after that others of terrour used to the woman to perswade her from her Tob^o and did not therein prevaile) he wrongfully tooke and carried away.

9. Besides the unlawfull and unwarrantable proceedings of the s'd Hill about the estate of Thomas Grendon,* of which yo^r Hon^{rs} are allready partly informed, and besides the s'd Hill's placeing and constistuteing the s'd Grendon's House a Prison, keeping therein (guard and all) about thirty persons for the space of three weeks, killing of his stock and destroying his provision, and converting other of it to the use of himselfe & family to the great wrong and oppression of the s'd Grendon. Hee the s'd Hill unlawfully and unwarrantably seized the goods, merchandize and estate of severall persons merchants in London, viz: of Mr. Samuell Lynn & Mr. Christopher Dodsworth

* See notes at end of article.

in the hands of ye s'd Blayton, although he was informed before hand thereof, and had the bills of loading, Invoyses & letters manifesting the same in his custody, whereby the s'd merc^r utterly lost the sayle of their goods, and raiseing Tob^o for to comply with their freight taken in Capt. More and Lorrimer to their very great damage to the greate discourag^{em} of adventurers trading into this his Ma^{ty}'s forraigne plantacon and the manifest hurte thereof.

10. That the s^d Edrd Hill contrary to his duty and trust of a Justice of peace, haveing by his warrt. committed the s'd Jno. Baxter to prison for treason, for a reward proposed by him the s'd Edrd Hill to be given him, the s'd Hill offers to keepe the s'd Baxter's escape out of prison, and to prevent any pursuit after him, and when he saw this would not prevaile wth Baxter hee the s'd Hill without any warrt. or collour of authority, seized, tooke away and converted to his proper use all the estate of the s'd Baxter, w^{ch} besides the ruine of the poore man, his wife and children, is an act of presumption and dangerous example, as will appeare uppon enquirey into the subtlety and terrors used in the management of this wrongful action.

11. That the s'd Edrd Hill (with intent to fortify himselfe within this county, to doe whatsoever he pleaseth, and to keepe himselfe from being brought to answer for any of the wrongs, oppressions, misdemeanours and crimes afore^d, and the better to enable him to committ the like in time to come to the utter ruine of this county), did prevaile wth S^r Wm. Berkeley to be stiled and called, and to have the power and authority of Coll^o and chief comander of all the forces of this county and president of the court, a style unknown in this county before, to the great dishon^r of divers worthy Gent. of the s'd county of greater Seniority, and of more eniment abilities of courage conduct and Integrity then himselfe, to the enkindleing the fire of discord and heart burning within the county, and to the manifest laying aside all those that any way had sought heretofore to oppose his avaritious and unjust designs.

12. That by reason of the violacon and little regard was had as afore^d either of his Ma^{ty}'s or the s'd S^r Wm. Berkeley's proclamacon of pardon to the persons and estates of divers of those of us as afore^d that had actually lay'd hold of them and

the great danger and trouble such persons (notwithstanding such laying holde) underwent suffered. Wee the people of this county (being generally as guilty as others) were under such terrors and feares of the like paines and troubles that wee durst not complaine to the late Assembly of any of our Greivances, nor of the illegal choyce & returne that was made of Burgesses to serve for us in the s'd Assembly. Neither durst the persons that were intrusted wth the delivery & prosecution of our Peticon to the Assembly (drawne upp to that purpose) deliver the same or make knowne any other of our Grievances to the Assembly for the reasons afores'd.

Com. Civit Carol.

We the Subscribers haveing been desired and requested there unto by the Inhabitants of this County (this day convened at Westover in the s'd county for that purpose) doe present this their Humble Remonstrance and addresse to his Ma^{ty} Hon^{ble} Commissioners for Virg^a affayres this tenth day of May, 1677.

Signed,

BERN'D SYKES,
JAMES MINGE,*
THO. BLAYTON,
N. WYATT,*
WM. DICKE,
THO. GRENDON,
JAMES BISSE.

NOTES ON CHARLES CITY COUNTY GRIEVANCES.

HERBERT JEFFREYS.—Sir Herbert Jeffreys was in command of the troops sent to Virginia to suppress Bacon's Rebellion. His commission as Governor was dated November 11th, 1676, and in April, 1677, he succeeded Berkeley, who then sailed for England. He died December 30th, 1678.

SIR JOHN BERRY.—Sir John Berry (1635-1690), of a family long settled near Ilfracombe, was the second son of a clergyman of Kunnaston, in Devonshire, who having lost his living during the civil war, died in 1652, leaving a large family almost destitute. John went to sea, first in the merchant service, and in 1663 entered the navy as boatswain. Soon

* See notes at end of article.

after he was advanced to lieutenant of the *Swallow Ketch*, in the West Indies, and having assisted in capturing a pirate of superior force, was appointed to succeed his captain (who had obtained another ship) in command of the *Swallow*. On his return to England he was, in 1667, appointed to the command of the *Coronation*, 56 guns, and sent again to the West Indies. Here the Governor of Barbadoes armed eight merchant vessels and put them under the command of Berry, who fought a successful engagement with the French and Dutch off Nevis. In 1669 he was sent to the Mediterranean, and served with some success and distinction against the Algerine pirates. He returned to England in 1671, and in 1672 commanded the *Resolution* in the battle of Solebay, where he won much credit by a rescue of the Duke of York, whose ship was hard pressed. On the return of the fleet the king knighted him. In the battle of May 28th, 1673, he again distinguished himself. In 1675 he was again in the Mediterranean, and, with the exception of about a year, 1676-7, when he was sent to Virginia as one of the commissioners to suppress Bacon's Rebellion, he continued on the station until 1680. In 1682 he commanded the *Gloucester* in which the Duke of York took passage for Scotland. The ship was wrecked and many persons were lost; but Berry, who was the last to leave his ship, was saved. He was acquitted of blame in the matter. In 1683 he was vice-admiral of the squadron, under Lord Dartmouth, sent to dismantle Tangier, and on his return was appointed one of the commissioners of the navy. He died shortly before March 22d, 1689-90.

HENRY BROWNE.—The following notes on Henry Browne and his descendants, while giving a good deal of information in regard to the family, do not seem sufficiently full to furnish a pedigree which may be accepted as undoubtedly accurate. They are derived from the Surry records, the land patents and other sources. It is hoped and requested that additional information may be furnished the *Magazine*, which will enable a complete account to be prepared.

Captain Henry Browne, Esq., patented in 1637 2,250 acres in James City county, on the south side of James river, at "The Half-way Tree," his wife, Anne, being one of the headrights; in 1639, 900 acres in James City county, on Journing Point creek (adjoining the plantation seated by Mr. Francis Fowler), which was originally granted to Mr. Francis Fowler, and was left by Mrs. Antonia Fowler, deceased, to the said Henry Browne. Captain Henry Browne, Esq., patented in 1643, 2,450 acres "at the four mile tree," James City county [now Surry], 2,000 of which was granted to said Henry Browne by order of court in 1634, and 450 acres purchased by him in 1634. Henry Browne was a member of the Council 1634-1660 (*Hening and Sainsbury Papers*). During the administration of Governor Harvey he was one of his most faithful adherents, apparently upholding his policy in every respect. When the majority of the Council proposed to arrest Harvey, Browne made an

excuse of sickness and returned to his home. Kemp, the Governor's chief supporter, says there were only two other members of the Council who supported Harvey, Purefoy and another [Browne] who was "an honest and plain man, but of small capacity and less power." There is recorded in Surry a deed dated March 10th, 1652, and recorded April 5th, 1653, from Colonel Henry Browne, Esq., to Colonel George Ludlowe, Esq., Captain George Jordan and William Browne, gentlemen, in consideration of his, Browne's, love for his wife, Anne, and her children, conveying to Ludlowe &c., all his "Credditts, goods, Cattells, Chattells, serv'ts in Virg'a and the Crop and Cropps of the laboures of the said servants," in trust, during the pleasure of said Henry Browne or to be disposed of as he may direct in his last will or any other writing or deed—said estate being intended for the maintenance of his wife and children and the education of the latter; surplus to go according to his will.

Also a lease from "Captaine Henry Browne of the four mile tree, Esqr.," of 100 acres to Peter Adam, dated April 6th, 1643, and recorded November 9th, 1654.

In 1646, in a letter recorded in Surrey, written September 14th, John White, merchant, writes from England that he hopes Captain Browne will pay him a certain debt which was due from Mr. Fowler, deceased. It seems probable that Browne married a daughter of Francis Fowler.

Henry Browne, Esq., was a vestryman of Southwark Parish, Surry, on May 24th, 1661, and died before October 20th, 1662, as on the latter date there was a bond executed (recorded in Surrey) from Thomas Swann, Esq., to Barkeley Browne, son of Colonel Henry Browne, deceased, in penalty of £200; reciting that Swann was shortly to marry Mrs. Ann Browne, late wife of Colonel Henry Browne, and obliging himself to pay said Barkeley Browne £100 when he came of age.

Colonel Henry Browne was ultimately succeeded at "Four Mile Tree" by William Browne. How they were related is not known. Captain William Browne and Ellinor, his wife, had a grant of land in 1638. William Browne was member of the Council in 1646 (*Hening* II, 319). He was possibly the father of William Browne, of "Four Mile Tree." The latter was on a coroner's jury with Colonel Henry Browne in 1659. In the list of tithables of Southwark Parish, Surry, in 1668, he had five. Captain William Browne appointed justice of Surry December 22d, 1668, and remained a member of the court until his death in 1705. In 1672 is styled major, and in 1679 lieutenant-colonel; and was again commissioned lieutenant-colonel commandant of the Surrey militia in 1687. From 1681 he appears in the lists as presiding justice; was sheriff 1674, 1687, and was a member of the House of Burgesses 1676, 1677, 1679, 1681 and 1682 (*Surrey Records*). In the list of tithables, 1687, appear Lieutenant-Colonel William Browne, Mr. William Browne and nine negroes, and in 1692, Colonel William Browne,

William Browne, Henry Browne, and eleven servants and negroes. It is probable that Colonel William Browne married Mary, daughter and heiress of Colonel Henry Browne, as there is in Surry a deed, December 3d, 1695, from William Browne, Jr., son and heir of Mrs. Mary Browne, the only heir of Colonel Henry Browne, deceased.

And yet there is a record in Surry, November 7th, 1682, which states that Lieutenant-Colonel William Browne married the administratrix of Lewis Williams, deceased. On June 9th, 1679, Elizabeth Merriwether was granted administration on the estate of Lewis Williams (whose wife was named Lucy). Mrs. Merriwether was the wife of Nicholas Merriwether, who, the records show, lived a number of years after 1682.

The will of William Browne, Sr., dated December 9th, 1704, proved in Surrey July 3d, 1705; legatees, granddaughter Mary, wife of Francis Sowerby, one negro; daughter Ann, wife of Walter Flood, £50 sterling; daughter Priscilla, wife of Thomas Blount, £50; son Henry Browne, 20 shillings; grandson John Flood, grandchildren, Walter, Fortune, Mary and Ann Flood, William, Henry and Jane Browne, Mary Jordan, the younger, and William Blunt, 40 shillings each. Rest of estate to son William Browne, and appoints him executor. Said son William is "now gone for England." Daughter Jane, wife of William Browne, £10 to buy her a piece of plate; grandson Henry Browne a tract of land in James City county; granddaughter Jane, daughter of William and Jane Browne, £80 sterling.

William Browne, Jr., was appointed a justice of Surry September 15th, 1693, and was named first in the commission to the justices of Surry December 20th, 1710, and was vestryman of Southwark Parish in 1719. He married Jane — (who is mentioned in his father's will and joined in a deed in 1712).

There was proved in Surry, January 19th, 1747, the will, dated July 3d, 1746, of a William Browne, who was probably the preceding William Browne, Jr. Gives his grandson, William Browne, the plantation where his (the legatee's) mother now lives; but his daughter-in-law, Mary Browne, is to have it while she remains a widow; to grandson Henry Browne, the plantation where testator lived and two plantations in Isle of Wight, with all negroes, stocks, &c., on them; grandson William Browne, two plantations in Brunswick when he is 18 years of age; grandson Philip Edloe, a negro to be put in his father's care; grandson William Edloe, a negro and £80 current; granddaughter Jane Edloe, a negro and £30; granddaughter Rebecca Edloe, a negro which was given to her brother Henry and by him left to her, and also £10; grandson John Edloe, two negroes; daughter Mary Edloe, one negro and £30; granddaughter Ann Browne, daughter of son Henry Browne, three negroes and £30; granddaughter Rebecca Browne, granddaughter Elizabeth Browne, granddaughter Ann Browne, daughter of son William Browne, granddaughter Martha Browne, grandson William Browne,

grandchildren Mary Eaton, Elizabeth Browne, Ann Browne, Martha Browne, and Ann Browne (son Henry's daughter), grandson Henry Browne, the land where his (Henry's) deceased father lived on Black-water Swamp. [It will be observed that he mentions no son as living.] The inventory of the personal estate of Captain William Browne, deceased, dated February, 1747-8, amounts to £2,630 1. 9 in Surrey and £619 14 in Isle of Wight.

The following seem to be the wills of his sons: (1) Will of Henry Browne, dated September 23d, 1734, proved Surry February 19th, 1734. Legatees: to wife Elizabeth, all the goods she possessed before marriage, that is all the negroes and other estate she had from Mr. Bolling and those of her own acquiring; son Henry Browne, daughters Jane, Elizabeth and Anne Browne, Edward Harris, £10. Gives rings to his wife, her children, Jane, Anne, Alexander and John Bolling; to his own children; to brother William Browne, and his wife and children; brother Henry Edloe and his wife and children; sister Ann Browne, Mr. William Simmons and wife, Mr. John Simmons and wife, Mr. Howell Briggs and wife, Richard Cocke and wife and son Hartwell Cocke, Rev. Mr. Eilbeck and wife, Rebecca Edloe, the officers and troopers of the troop he commanded, and to John Andrews and his wife and children. Makes his father, William Browne, and brother, William Browne, executors.

(2) Nuncupative will of Captain William Browne, Jr., proved in Surry April 14th, 1744. Leaves the direction of his wife and children to Captain Richard Cocke and Mr. William Eaton. He has an account of all money paid Mr. William Eaton (part of £300 Virginia currency), and desires the rest to be paid. Henry Browne must entirely rely on testator's good friend, Captain Richard Cocke. Henry has had a watch &c., out of his father's estate. "I never kept any regular account with that estate." [Doubtless the estate of his brother, Henry, who died in 1734, leaving, apparently, an only son, the Henry Browne of this will.] Testator's female children to share alike. His wife was named Mary.

Francis Clements, of Surry, in his will, dated 1721, names his uncle, Captain William Browne, and his cousins, Henry, William, Jr., Mary, Elizabeth and Anne Browne.

From the will of William Browne (1746) it is evident that William Browne, Jr. (1744), left a son, William, and a daughter, Anne, and possibly, also a son, Henry.

It is not known whether the person whose will follows was son of Henry or of William. Will of Henry Browne: to wife, Hannah, for her life, all the plantation where the testator lived. States that it was entailed, and makes provision for her in case his son, William, molested her. Son William, son Henry (a tract of 1,190 acres, called Round Hill, in Southampton county, and lots in Guilford and Cobham); daughters Mary and Elizabeth Browne; son Benjamin Edwards Browne (not of age). Dated October 30th, 1762; proved Surry, December 21st,

1762. He was a member of the House of Burgesses, and in 1762 a writ for a new election in Surry was issued. Inventories of personal estate of Henry Browne in Surry, Southampton and Brunswick counties show a large estate.

The will of William Browne, of "Pipsco," Surry, proved January 25th, 1786 [he was son of preceding], leaves certain lands for the support of his wife and children until his son, William Taylor Browne, is of age; daughter Ann Browne; brother Benjamin Edwards Browne. Appoints friends Henry, Benjamin Edwards and William Browne, Jr., and wife, executors.

Will of William Browne, of Surry, dated November 7th, 1786, proved June 27th, 1786. [He was probably the son of William Browne (1744), and in this case Henry Browne (1762) was probably his brother.] He lived on James River. Legatees: son William, son Benjamin, not of age, son George, not of age, sons Richard and John, not of age. William is to make a good title to John Watkins, of Surrey, for a tract of land sold by the testator, to which William would be entitled as his mother's heir. Appoints friends Richard, Nathaniel and John Cocke, nephew Henry Browne, and sons William, Benjamin and George (when of age), executors, and nephews William and Henry Browne guardians of George. Dated June 19th, 1783. Codicil November 7th, 1786. Since the date of the will sons George and Richard had died. Makes provision for wife, Dorothy, in case a child should be born. Proved June 27th, 1786.

From a family record published in the *Richmond Standard* it appears that Colonel William Browne, of "Four Mile Tree," [?] Surry, born March 5th, 1739, married Anne, daughter of Richard Cocke, of Surry, and had issue: I. Richard, born August 24th, 1769, died January 4th, 1789; II. Mary, born February 6th, 1771, married Robert Cocke, and died January 5th, 1790; III. Elizabeth, born February 9th, 1773, died 1773; IV. John, born January 6th, 1775, *d. s. p.* If these are the sons of William Browne whose will has just been given, the record appears to be incomplete and erroneous.

William Browne was member of the House of Delegates from Surry in 1777 and 1780.

Benjamin Edwards Browne died May 13th, 1819, at "Cross Creek," Surrey, aged 59. He had been a soldier in the Revolution (*Richmond Enquirer*). He was appointed a justice of Surry 1791, and sheriff 1795-7. William Browne was appointed a justice of Surry 1786, and sheriff 1796-7.

Will of William Browne, of "Four Mile Tree," dated November 14th, 1799, proved December 24th, 1799. Daughter Sally, William F. B. and Jane B. children of Theoderick B. Ruffin; friends William Ruffin and Nicholas Faulcon, £500 each; friend Edward Faulcon, £250; William, son of Colonel Richard Cocke, of Isle of Wight. The "Four

Mile Tree" plantation, which testator dwells on, with slaves &c., to daughter Sally, and if she die without issue, to William Browne (son of Henry Browne, late of Norfolk, deceased). Children of Benjamin Edwards Browne; William Taylor Browne and Nancy Browne, children of William Browne, late of Pipsco, deceased; the children (except William) of Henry Browne, deceased; the children of Major Thomas Eaton, of North Carolina. By a codicil gives Mrs. S. Ruffin, wife of Theoderick B. Ruffin, £33 6. 8 per annum, &c. [William Browne, of "Four Mile Tree," married Elizabeth, daughter of William Ruffin, of "Richneck," and had Sarah, married John T. Bowdoin.]

In 1881 members of the Surry family of Browne, then resident in Warren county, N. C., sold land in Surry.

Following are copies of epitaphs, made December 27th, 1889, from "Four Mile Tree." (There is a large old brick house still remaining there.)

"Sacred to the memory of Wm. Browne Esqr. of Four Mile Tree, in the Co. of Surry. Son of Col. Wm. Browne of the same place; by his wife daughter of Col. Benjamin Edwards of the said Co. he was born the 17th day of Sept. 1759; having a daughter and only child by his wife Elizabeth daughter of Wm. & Lucy Ruffin of the aforesaid Co. of Surry."

"Sacred to the memory of Elizabeth Browne of Four Mile Tree in the Co. of Surry, and daughter of William Ruffin Esqr of 'Rich Neck' in the said Co., by his wife Lucy, formerly Lucy Cocke. She was born the 17th May 1771, and departed this life the 26th of July 1799, leaving a daughter and her only child, by the name of Sally Edwards Browne."

"Sacred to the memory of Mrs. Sally Edwards Bowdoin; The wife of John T. Bowdoin Esqr. and daughter of the late Mr. William Browne and his wife Elizabeth. She was born at Four Mile Tree, in the Co. of Surry on the 2d day of Jan. 1794 and died the 26th of Sept. 1815, and left an only child Sally Elizabeth Courtney Bowdoin."

WILLIAM BERNARD.—Colonel William Bernard was a member of the Council 1642–1655, and perhaps later (*Hening* 1). He married, in or before 1653, Lucy, widow of Major Lewis Burwell, and daughter of Robert Higginson, and in 1655 had a son, George. Colonel Bernard died in or before 1667, for in that year his widow was the wife of Colonel Philip Ludwell. It is not known whether he left descendants. Most persons of the name in Virginia are descendants of Richard Bernard, of Gloucester county, who immigrated from England.

THOMAS PETTUS.—Colonel Thomas Pettus patented land in James City county in 1643, and in 1645 (when he is described as of the Council) had a grant of 880 acres in James City county, in right of his wife, the relict and executrix of Richard Durrent, said Durrent having patented the same in 1636. There is recorded in Westmoreland county a power of attorney, January 22d, 1660, from Thomas Pettus, of "little towne in

Virginia, Esq.," and Elizabeth, his wife, to Sergeant-Major Edward Griffith, of Mulberry Island, authorizing him to act with Mr. Henry Meese in regard to 1,000 acres of land (patented by said Pettus) on Potomac creek, and adjoining the land lately taken up by Sir Thomas Lunsford, deceased. His second wife was Mourning —— (who married secondly James Bray, of the Council), whom the records show to have been a tartar. Colonel Pettus is said to have been a son of Sir John Pettus, of England, and to have been ancestor of the family of the name in Louisa, Lunenburg and Mecklenburg counties, Virginia.

HENRY PERRY.—See *Virginia Historical Magazine* I, 451, and II, 306.

THOMAS SWANN.—In 1638 Thomas¹ Swann, of "Swann's Point," Surrey, patented land in James City county on the south side of the river (now in Surry county). The patent mentions his father, William¹ Swann, deceased, who had also patented land a few years before, and died at Swann's Point, 1638. Colonel Thomas Swann was Burgess for James City 1645, 1649, and for Surry 1657-8, and was a member of the Council from 1660. The commissioners sent to suppress Bacon's Rebellion sat at his house, "Swann's Point," opposite Jamestown. He died September 16th, 1680, and his tomb, bearing his arms, remains at his former home. He married five times, but the names of all of his wives are not known to the writer. His name frequently occurs in the records of Surry, of which county he was appointed a justice and lieutenant-colonel of the militia in 1652. He was sheriff in 1652 and 1653. On July 10, 1655, he gave bond in penalty of 100,000 lbs. tobacco to perform the order of court in relation to the death of Elizabeth Burke. In 1668, in the tithables of Southwark parish, there appear the names of Colonel Thomas Swann, Mr. John Sallaway, and three servants, five in all charged to him. In 1676 he was granted administration on the estate of Francis Sumner. There is a bond, dated October 20th, 1662, from Colonel Thomas Swann, who was about to marry Anne, widow of Colonel Henry Browne. On March 6th, 1681, a power of attorney from Mrs. Mary Swann to her brother, William Edwards. There is a bond, June 8th, 1681, from Robert Randall (a name sometimes spelt in the records Randolph), who was about to marry Mary, widow of Colonel Thomas Swann. The early date of this second marriage is hardly in accordance with another entry in the Surry records, which states that on November 2d, 1680 (a month and a half after Colonel Swann's death), Mrs. Mary Swann, widow, petitioned the court, stating that by reason of her sorrow she had not been able to discover Colonel Swann's will, which was supposed to exist, and asking that she might be put in charge of the estate, which was done.

By this fifth and last wife he had Mary,¹ who married Richard Bland,¹ of "Jordan's Point," Thomas,¹ who married Elizabeth, daughter o

William Thompson, and Sarah,^a who married [1] Henry Randolph and [2] Giles Webb, both of Henrico county. (This and much other information in this note is derived from a letter written a few years ago by a member of the Ashe family of North Carolina. The writer of this letter stated that the Swann genealogy in his possession was very full and entirely authenticated.)

Colonel Swann had by his second wife, Miss Codd, a son, Colonel Samuel^b Swann.

There is on record in Surry a bond, dated March 7th, 1659, from Captain William Marriott, of Surry, who is about to marry "Mrs. Susanna," daughter of Colonel Thomas Swann. Colonel Samuel^b Swann, born May 11th, 1653, succeeded his father at "Swann's point," and was for many years a prominent man in Virginia and North Carolina. He qualified as a justice of Surrey July 7th, 1674, was major of militia January, 1687, sheriff 1676, and on May 7th, 1678, presented to the court an order from the governor appointing him again sheriff; but as he had held the office in 1676, the court refused to allow him to qualify. On the 13th of May, however, he was admitted to the office. He was a member of the House of Burgesses 1677, 1680, 1682, 1684, 1686, 1692 (when he was an unsuccessful candidate for speaker) and 1693. He soon afterwards removed to North Carolina, and was Speaker of the Assembly there prior to 1715.

November 21, 1693, Arthur Allen and Katherine, his wife, sold to Samuel Swann (for £250 sterling) all the lands on Lowne's creek, Surry, which had been granted in 1667 and 1678 to Laurence Baker, whose sister and heir Mrs. Allen was.

On February 22d, 1706, Samuel Swann, of North Carolina, made a deed (in which his wife, Elizabeth, joined), selling to J. J. Jackman, of Surry, 1,650 acres in Surry, called Swann's Point, with 300 acres which had been deeded by said Swann to Mary, widow of Thomas Swann, Esq., deceased, father of Samuel Swann. Said land had been patented by said Thomas Swann February 4th, 1645.

Colonel Samuel^b Swann married, first, Sarah, daughter of William Drummond (Governor of Carolina and participated in Bacon's Rebellion, for which he was hung) [*Sainsbury Papers*], and secondly, Elizabeth, widow of Colonel John Sandal, and daughter of Alex. Lillington, President and Governor of North Carolina. By the first marriage he had: I. William,^c collector and Speaker of the N. C. Assembly; II. Thomas,^c Speaker of the N. C. Assembly, and seven other children. By the second marriage he had: IX. Sarah,^c married Frederick Jones; X. Elizabeth,^c married John B. Ashe, member of the Council of N. C.; XI. Colonel Samuel,^c born October 31st, 1704, compiler of the N. C. Statutes and Speaker of the Assembly. He retired from this office in 1762, when he had held it nearly twenty years. He left three children. XII. Major John.^c The family has been a prominent one in North Car-

olina. John Swann was M. C. for that State 1787-9. Samuel Swann was major in the Wilmington, N. C., minute men 1775.

Captain Thomas¹ Swann was a member of the Virginia House of Burgesses 1693, 1695, 1696, 1698, and sheriff of Surry 1697. He married Elizabeth, daughter of William Thompson, of Nansemond county (whose will was dated 1686), and died in 1705, leaving an eldest son, Major Thomas⁴ Swann, sheriff of Nansemond 1740, whose eldest son, Thompson⁵ Swann, removed to Cumberland county (*Hening* X), and was clerk of that county from about 1754 to 1781. He was ancestor of the family of the name in Powhatan county &c. Doubtless Samuel Swann, living in Nansemond 1775, and Caufield Swann, of Surry, 1800, were descendants of Thomas³ Swann.

Judge Jones, of Kentucky, author of the volume on the descendants of Captain Roger Jones, states that he has several original letters written about 1738 from Jane, daughter of Samuel Swann, of North Carolina, which are sealed with the following arms: Az. a chev. between 3 swans ar. Crest: a demi lion rampant, and that on the chevron are certain small figures too indistinct for him to make out. This seems to correspond exactly as to the arms and perhaps also as to crest, with the arms assigned by Burke to Swan, of Southfleet and Denton, Kent: az: a chev. ermine [the small figures referred to are doubtless the ermine marks] between 3 Swans ar. Crest: a demi-talbot saliant, gu. collared or.

THOMAS LUDWELL.—Thomas Ludwell, son of Thomas Ludwell, of Bruton, Somersetshire,, England, and his wife, Jane, daughter of James Cottington, of Disco, Somersetshire, was a native of Bruton, and came to Virginia (as is shown by a land grant) in 1646. In 1648 he received his first grant of 500 acres on the Chickahominy river. He was appointed Secretary of State and member of the Council in 1660, and held the offices until his death in 1678. He was also sent to England as one of the agents of the Colony to endeavor to obtain a revocation of the Northern Neck grant and a new charter. Throughout his residence in Virginia he was one of the leading and most influential men of the Colony. His will, proved in 1678, has been printed in the *New England Historical and Genealogical Register*, 1893, pages 277-78. A lengthy note on his brother, Philip Ludwell, has been published in this Magazine.

EDWARD HILL.—The first person bearing this name in Virginia was Edward Hill, of Elizabeth City county, who was buried in that county May 15th, 1624. On the 9th of September, 1622, "Master Edward Hill" had distinguished himself by a brave and successful defence of his house against the Indians. Among the Duke of Manchester's MSS. is a letter from Edward Hill, Elizabeth City, Virginia, dated April 14th, 1623, to his brother, John Hill Mercer, in "Lumbard Street," London, and another to his "father-in-law," Mr. Richard Boyle. This Edward Hill

was, possibly, the father of the next named, who was the first from whom descent can with certainty be traced.

Colonel Edward Hill, of "Shirley," Charles City county, was a member of the House of Burgesses for Charles City 1639, 1642, 1644, 1645, 1647, 1649-54, Speaker of the House in 1644 and 1654, and member of the Council from 1654. He lived for a short time in Maryland, and in 1646 was chosen Governor by the insurrectionary party, but was taken prisoner by Governor Calvert. He was commander-in-chief of Henrico and Charles City, and in 1656, when in command of a force of colonists and friendly Indians, he was defeated by the hostile Indians in a sharp action, which gave the name "Bloody Run" to a stream now within the limits of the city of Richmond. The chief of the friendly Indians, Totopotomoy, was killed in the fight. The reference to him ("The Mighty Totopotomoy") in *Hudibras* has puzzled the English commentators. Colonel Hill was disfranchised and fined by the Assembly for this defeat. He acquired large landed estates, among them a grant, in 1660, of 2,476 acres in Charles City county, 416 of which were in Shirley Hundred, adjoining the lands of Mrs. Aston, Joseph Royall, and the river and island; and the other 2,060 near by and adjoining the lands of Mr. Ashton, Mr. Llewelin, Joseph Royall, Mrs. Hayman, and Turkey creek. Another grant was in 1655 to "Colonel Edward Hill," for 4,000 acres on the Rappahannock, which was regranted in 1664 to his son, Edward Hill. Edward Hill, the elder, of "Shirley," died about 1663 (*Hening*), and was succeeded by his son and heir, Colonel Edward Hill, of "Shirley," born 1637, died November 30th, 1700, who was commander-in-chief of Charles City and Surry counties, Attorney-General (appointed by Governor Chicheley September 27th, 1679), Collector of Upper James river, member of the Council, treasurer, Speaker of the House of Burgesses in 1691, and was appointed in 1697 Judge of the Admiralty Court for Virginia and North Carolina (*Sainsbury Papers*). He and John Stith were disfranchised by Bacon's House of Burgesses 1676. His wife is said to have been named Williams, and portraits of both remain at "Shirley." His tomb is at Shirley, bearing arms which (as far as can be told from a rough drawing before me) are a lion passant, and crest a demi lion rampant, and the following inscription:

" Here lyeth Interred the Body of
Edward Hill Esq'r one of his Maj'tyes
Hon'ble Councell of State Collonell and
Commander in Chiefe of the County's
of Charles City and Surrey. Iudge of
his Majestyes high court of Admiralty
and sometime Treasurer of Virginia who dyed
the 30th day of November in the 63d
yeare of his age Anno Dom. 1700."

There is on record at Henrico Court-house the following certificate, dated at a court held at Varina June 1st, 1680, and signed by the whole court, consisting of Mr. Thomas Cocke, high sheriff, Colonel William Byrd, Lieutenant-Colonel John Farrar, Mr. Richard Cocke, Sr., Mr. Abell Gower, Mr. Thomas Batte, Mr. Peter Feild and Mr. Richard Kennon:

"Whereas Colonel Edward Hill, Commander of the County of Charles City, hath this day informed this Court, that he hath been misrepresented by some ill disposed persons, which say that he hath in his life and conversation, and the several offices by him borne and executed, so behaved himself as that he is not a person capable and fit to bear any office or employment of trust in this country, and hath moved the court that since he is to us well known, as being born and bred in the next county, and whose life and conversation we are well acquainted withall, to give such certificate and character as we may think him worthy of; we whose names are hereunder written, being of this court, as above by our clerk expressed, do hereby certify and declare that we have known the above said Colonel Hill this many years, some of us from his youth up, and have always known him to be a man of good fame and reputation, in all his actions, conversation, and behavior; and we know that in the late unhappy disturbance, he always behaved himself loyal to his King and country, while in the mean time his estate was plundered, destroyed and embezzled by Bacon's commands, and his wife and children kept prisoners; and has since those times behaved himself with great moderation, as far as we could ever hear or understand, and that in our opinion he is a person most fit and capable to serve the King and Country in any office or offices in this country; and that this is our opinion we have hereunto subscribed our names this day and year above written, and do order that this our certificate be entered upon the records of this county."

Colonel Edward Hill, of "Shirley," and — Williams (?), his wife, had issue: I. Colonel Edward, of "Shirley," collector of James river 1716, named by the governor in 1707 as one of the "gentlemen of estate and standing," suitable for appointment to the Council when vacancies should occur. In 1711 the Bishop of London wrote a letter recommending him for the same position, and speaking highly of his character and qualifications (*Sainsbury Papers*). He appears, however, never to have been appointed and to have died *s. p.*; II. Elizabeth, married in 1723 John Carter, of "Corotoman," Lancaster county, Virginia, and of the Inner Temple, London (*Sainsbury Papers*), Secretary of State of Virginia, and inherited "Shirley;" III. Martha, married Hugh Gifford, of Devonshire, England (*Burke's Landed Gentry* and *The Western Anti-quary*).

Mrs. Carter married, secondly, Bowler Cocke, of Henrico county, and after her death he held "Shirley" by "the courtesey" until his own

death there in 1771, when the estate descended to Mrs. Carter's son, Charles Carter, who removed to that place from "Corotoman," and is generally known as Charles Carter, "of Shirley." The estate is still possessed by his descendants, the heirs of the late Captain R. R. Carter.

THOMAS GRENDON.—See *Virginia Historical Magazine*, I, 441.

JAMES MINGE.—The first of the family of Minge in Virginia is said to have been Rev. James Minge, who came to the Colony in 1650. James Minge (of the text), was clerk of the House of Burgesses 1676. James Minge was a justice of James City county in 1680. James Minge was clerk of James City county in 1693. In or before 1692 he married Awdea, daughter of Robert Harrison, of York county (*York Records*). James Minge, Jr., was surveyor of James City county in 1702. A James Minge died in or before 1710. John Minge was alive in 1711. There is a deed dated August 8th, 1712, from James Minge, eldest son of James Minge, of Prince George county, conveying a tract of land which was patented by the latter April 6th, 1712. Valentine Minge, of Charles City county, was dead in 1724, leaving issue. There is recorded in Surry a deed, dated 1740, from John and George Minge, of Charles City county, to Benjamin Harrison, conveying land which their father, Valentine Minge, patented in 1719. John Minge, Jr., was appointed a justice of Charles City in 1734. John Minge was a justice of Charles City in 1769. George Minge justice of Charles City 1769. David and George Minge members of the Charles City Committee of Safety 1775-6. John Minge, of "Weyanoke," Charles City, married Sarah, daughter of Benjamin Harrison, of "Berkeley," and had issue: I. Dr. John, married Mary Adams; II. Benjamin, married Jane Atkinson; III. Collier, married, in 1827, Anna Maria Ladd, of Charles City; IV. George, married Mary, daughter of Benjamin C. Harrison; V. Eliza, married Hugh Nelson, of Petersburg; VI. Ann, married David Dunlop, of Petersburg; VII. David, married Elvira Adams.

John and Mary (Adams) Minge had issue: I. Margaret, married Richard Wilkins; II. John; III. Molly; IV. Sally, married Captain George Pickett, U. S. A., afterwards General Pickett, C. S. A.

Benjamin and Jane (Atkinson) Minge had issue Mary, who married Charles Friend, of Petersburg.

Collier and Maria (Ladd) Minge had issue: I. Jane, married Robert Discil; II. Maria, married Carter Adams; III. William, married Jane Gladden; IV. Collier, married Miss Ingraham.

David and Elvira (Adams) Minge had issue: I. Margaret, married Reuben Dugger; II. Sarah, married Robert Harris; III. David, married Bessie Gwathmey; IV. John, married Bessie Chadwick; V. Benjamin, married Lucy Otey.

George W. Minge member of House of Delegates from Charles City 1804-5. Dr. John Minge member House of Delegates from Charles

City 1822. John Minge, of "Weyanoke," married Sarah Stewart, of "Sandy Point" (an estate she was left by her half brother, Lightfoot), and had an only daughter, Sarah Melville, who married Robert B. Bolling, of Petersburg.

NICHOLAS WYATT.—Nicholas Wyatt, son and heir of Anthony Wyatt, of the parish of Jordan's, deceased, received in 1686, a grant of all that plantation in Charles City on the south side of James river, called Chaplins, purchased long before by his father, but the title deeds for which had been lost. His father, Anthony Wyatt, was member of the House of Burgesses from Charles City in 1645, 1653 and 1656. Nicholas Wyatt was a captain in the Charles City militia in 1677. There was recorded in Prince George, April 19th, 1719, a deed which states that Nicholas Wyatt, formerly of Charles City, and now of Prince George county, by deed February 15th, 1680, sold to Edward Hill, Esquire, deceased, a tract of land called Burliegh and the old town, which land was bequeathed to Anthony and Nicholas Wyatt, sons of said Nicholas, by the will, dated February 16th, 1675, of George Sparrow, of Martin's Brandon parish, deceased—that the said son, Nicholas, died while an infant, and the son, Anthony, made a release of his title in 1705, and the said Nicholas Wyatt, Sr., now deeds said lands, containing 1,500 acres, to Edward Hill, son and heir of the said Edward Hill, deceased. The wife of Nicholas Wyatt was, in 1676, Frances Wyatt. Captain Nicholas Wyatt probably had another son, Edward Wyatt, whose will, dated June 3d, 1725, was proved in Prince George May, 1726. His legatees were sons Edward and Francis, and daughters Elizabeth and Sarah. Edward Wyatt was a justice of Prince George in 1714.

These were probably ancestors of the Wyatts afterwards resident in Dinwiddie, &c.

LETTERS OF WILLIAM FITZHUGH.

Aug. 8th, 1690.

Mr. Nicholas Hayward:

Sir. The above is a copy of my former, which I have before duplicated for fear of miscarriage, in this I have sent you your previous Account, as well as I could get an understanding of it, by the Accompt made up you may see what you are futurely to expect for your considerable quantity of tobacco and small parcell of goods. I have also sent you copy of his Accompt of sales which I hardly think is worth the paying postage money for. I have according to your desire as well as I could make a distinction between the debts, esteeming and being so informed from Mrs. Massey that the list of bills of 29425 lbs. is your particular, the book debts acct. of which goes here inclosed ammounting 11859 have estimated betwixt you and accordingly have framed the Account, the bills that were found & this year sent in Mrs. Letten's name have formed the Account to Madam Letten particular w^{ch} also goes herewith inclosed to Madam Lettens, of which she will find a poor return, for all the bills except three are certainly lost & it will be mere accident if any thing of those be got. I shall particularize to herself. I have also sent you an Account of yours & Mrs. Letten's goods unsold & undisposed of & still lying at Wm. Todd's, which I went purposely to see & found them so bad that I did not think worth the removal, nor indeed fit to offer to sale, therefore left them where they are, giving Mr. Todd liberty of making use of any of the things he has occasion for if he can make use of any of them, but withall have not absolutely given him them till I hear your farther orders, which I tell him I believe will be to let them remain where they are. In the Account of the things I have indorsed their qualities. I have sent you these particular Accounts, but have given him no manner of discharge, nor no farther allowance of the Acct. than you approve, for I must tell you was he able I believe he might be forced to a vast alteration

in this Account, but he is so poor that doubt more money would be spent in prosecuting than he would be able to answer, and consequently good money thrown after bad. I give you my sentiments but refer to yourself. What I want particularizing in my letter I hope you will find supplied in my Indorsements to each respective Acct. I have got three hhds tobo by me for you which Capt. Gutteridge promised to take in & has notes accordingly, the particulars whereof you have here included. To-morrow I expect him to give me bills of lading for them. Mr. Massey assures me these are very good tobo and if they come safe may afford you a little claret, which is more than I perceive you have yet got out of this concern. I have inclosed sent you what particular relates to Madam Letten as also her letter open for your perusal which I request you will seal and deliver her. Herewith comes bills of exchange from your brother indorsed by me for £12. 17 which is part of his debt of £25. 10 due to you, the remainder which is £12. 13. 0 placed to my Account & it shall be allowed; it was designed last year for the payment of your Smith, & accordingly he had my bill of exchange but they were lost in Burnham, & I had then likewise an order from him to Mr. Cooper for the money in part of payment for the sums lent him, which in my letter last year by Burnham I advised you to take by the said orders & credit him yourself for the remainder which would be a mighty obligation to him, & would not be lessened if you generously do it this year lovingly to let him see that as long as he has so kind a brother he need seek no other now farther, though while I am able your continual obligations obliges me to move for the service of any related to you. Sr. inclosed is bills of exchange from Capt. George Mason upon Mr. Thomas Storke for £4. 17. 4 which Please to receive for my use. Sr. inclosed also you'll recieve a bill of exchange drawn from Capt. Robt. Hooke master of the hannah of Bristol & his brother-in-law Mr. Jenkin Harris £120, the reason of mentioning it, for the support of the hannah & dispatch of her voyage; your acquaintance with trade & knowledge of the law belonging thereto I presume will immediately inform you that if any accident should happen it subjects the ship & cargoe especially the cargoe because the owners to answer or else both liable to payment, & if a protest should

happen I know you will dexterously meet with the merchant, ship & owners in Bristol & so on. Sr. I add no more in this because I am hurried away & hard in drinking with two masters taking their leave. I am Sr.

Your Wff.

To Mr. Nichs Hayward.

August 11th, 1690.

Mr. Nicholas Hayward:

S^r Herewith comes a bill of Loading but for two hhds of your three received. I could not possibly get the other on board, am afraid it will be lost, but know not how to remedy, it being so late before I met with the dissapointment, that I cannot now dispose of it, and help you to a new one next year, but if I can be assured I shall take that care in it.

Brother Luke comes home in this ship & has a letter of credit on you for £5. After the receipt of my bill of £120 is answered to you, which then Please to let him have if he wants, for he assures me he will very speedily repay it again in your hands, he designs also if his father furnishes him according to his expectations, to endeavour the purchase of Mrs. Meese's land. I have advised him rather to the purchase of Mr. Foster's, it being a more proper seat for him, & more quiet title, but however if he gets effects & resolves to proceed with Mrs. Meese I would not have concern oppose him, but had rather if he could that he purchase Fosters, & S^r if you can persuade him, if he purchases the one or the other, to take a special Estate taile, that is for his life, his wife's life, and the heirs of their two bodies begotten; the remainder in fee to me & my heirs, I am unwilling to pay a third part of the purchase, and desire you in my behalf to negotiate & consummate the affair for me.

I would willingly be out the money for the expectation of the fee of the other aforesaid and what money you shall be out more for me than you have in your hands, I shall take care next year fully and honestly to satisfy you if it should prove so fortunate, that I could be the purchaser of both wholly myself, I would willingly make the purchases. S^r I shall longingly expect to

hear from you, & shall joyfully & readily receive your farther commands, which shall be with all cheerfulness readily obeyed by

Wff.

S' I have shipped Mr. Storke some Tob^o the produce whereof I have ordered him to pay you, which please to keep for my use. Capt. Gutteridge in this letter has the copy of that by Hooke, & that by James on the other side.

Mr. Nicholas Hayward &c.

August 8th & 11th, 1690.

Madame Lettens:

By Capt. Gutteridge I received your letter w^{ch} you are pleased to say was occasioned by the Recommends of some friends of mine there; truly I am highly obliged to those worthy gentlemen the Recommenders, for putting me in the opportunity of serving so deserving a lady, which I shall with all alacrity and readiness willingly perform. By the same conveyance I received your bills the particulars of which I have also sent you an account of, and have in that account indorsed the poorness of their value which is now out of my power to help, or retrieve, for there you'll find two already received Brenton & Matthews which you have credit for in Mr. Massey's account, and I hope will be secure for you next year. Almost all the rest are irrevocably lost, King's is doubtful whether ever it will be got, Holdings very hazardous for the reasons there mentioned & only Colilough's pretty certain, as the account sent will more particularly appear, also there you have a particular account of what goods are sold and your whole balance from Mr. Massey, which I shall take care to secure for you next year, together with an account of those useless damnify'd goods left the methods I have taken with them I refer to Mr. Hayward's relation. I have also sent to Mr. Hayward, which I am confident he will show you, the station of the joint acct. betwixt yourself and him, as well as I could collect it, and in that too you will find very mean expectations. I will give you this Assurance Madam, that the best of

my Industry shall be used, to make them as advantageous to you as I can. You tell me you have made your letter of attorney joint to take off cavilling pretences, truly I know of none of those cavils to the debts standing out, nor heard of none of those already recovered, and I find things falls in so square with that remainder that its possible to recover, that I dont find it needful & therefore wont put you to the charge of recording your letter Attorney. I likewise by the same ship received your goods, which with the costs & charges amount to £21.15. Which because of the unsuitableness can not be re-tailed out, nor did I think it convenient without you had taken freight to sell them for ready tobacco if I could, because freight was both high & scarce & hardly any to be got, & Tob^e purchased & not freighted is as good as lost, therefore have sold them together in parcel for next years pay at seven shillings P. hundred to Mrs. Massey's Sister in law to Mr. Sigismund Massey* which amounts to 6214 lb Tob^e which shall be assuredly secured you, for which you may certainly take freight in England, provided this year there be crops made as likewise you may take uncertain freight for the balance of Mr. Massey's account of 2485, which I shall endeavour to secure too, I assure you madam I have acted in your affairs as if it were really my own, & have hitherto put you not to a penny's charge & hope shall so finish, for Yo^r kind acceptance is the full of the expectation of

Wff.

To Mrs. Susanna Lettens in London &c.

 August 20th, 1690.

Mr. John Cooper:

S^r My brother Luke is now coming home in this ship that this comes to you in & he has promised me to effect two things on the getting me an ingenious boy out of the hospital who can

* Doubtless the ancestor of the Masseys of Stafford &c., in which family Sigismund was long a favorite name.

write read & cast accounts, whose passage should be paid & himself doubly cloathed, as Coll^o Ludwell has brought in one this year, provided he should be continued in an Employ suitable to his Education upon his arrival from thence, which would prove a convenient supply to my present occasions, & my business requires a continuance therein, as the Hospital expects & desires, the other is getting of us, an able, learned, serious & sober Minister, whose allowance here would be large & comfortable, & his setting forth there would be liberally contributed to by a twenty pound allowance that is granted to every one in that Quality that transports themselves to us, by the Bishop of London. What I have to request you is if he should fail or neglect, if it were not too much trouble to help his failures & supply his neglects I am Sir

Your Wff.

To Mr. John Cooper, Merch't in London.

Aug. 16th, 1690.

Honoured Sir:

Your son which I had always an Esteem for as a countryman & friend, by his own endeavors in compliance with Mr. Secretary Spencer's advice & by the persuasion & solicitation of Mr. Secretary himself as they have both assured me, & as Mr. Secretary himself informed me is of a friendly countryman more nearly concerned by an Alliance, which together with what you have heard from Mr. Secretary, he will inform you of that whole affair, at whose instance & request this now comes, he being coming to pay his Duty to you & to crave your blessing & your advice & direction & assistance now to launch him out into some happy Subsistence in this world. I have told himself, that if you could furnish him with a handsome farm in some part of your Estate there it would be a comfortable subsistence, & which I believe would better sort with his desires, now he has seen the trouble of travelling & settling, but if your conveniency's & occasions or indeed inclinations dont agree to such a

Settlement, & that you continue your resolutions of settling him here as Mr. Secretary told me, you always designed, then Sr. I will presume at his Instance to give you the best method for such a Settlement, which is by lodging in some merchant's hand in London 150 or 200 £ for the buying a good, convenient seat of land, which upon so much ready money some may in a short time be purchased & then about such an other sum lodged in the hand of some of the Royall African company, who for that will engage to deliver negroes here at 16 or 18 or to be sure at £20 p head, which purchase so made of lands & Negroes, the dependencies upon a Settlement so made, as horses, cattle, hogs & so on are easily purchased here to begin with & continually raised for a future support. Sr. A Settlement thus made, will make a handsome gentile & sure subsistence, & if there be any thing of care & industry may be improved, but cannot well be mischiefed. Whereas if he should have three times the sums above mentioned, its certain it will yield him a great deal of Tob°, but if either neglect, carelessness or unskillfullness should happen its all brought to naught, & if the best husbandry & the greatest forecast & skill were used, yet ill luck at Sea, a fall of a market, or twenty other accidents may ruin & overthrow the best Industry. I am

Wff.

To Oliver Luke* Esq. at Woodend in &c.

* It appears from a subsequent letter, that George Luke, son of Oliver Luke, Esq., of Woodend, Bedfordshire, England, settled in Westmoreland county, Virginia, and married Mrs. Smith, the widowed sister of William Fitzhugh.

The first of the family given in the English pedigrees is Sir Walter Luke, of Cople, Bedfordshire, a judge of the King's bench, who was grandfather of John Luke, of Woodend, in the parish of Cople. The son of the latter, Nicholas Luke, of Woodend, married Margaret, daughter of Oliver, Lord Sir John of Bletshoe, and died in 1613. His son, Sir Oliver Luke, of Woodend, married Elizabeth, daughter and co-heiress of Sir Valentine Knightly, of Fawsley, Northamptonshire, and was the father of Sir Samuel Luke, of Woodend, who is supposed to be the hero of Hudibras. Sir Samuel served in the Short and Long Parliaments, and took an active part on the popular side; served with distinction in the Parliamentary Army 1643 to 1645, when being a Presby-

terian, he was retired by the Self Denying Ordinance; was a member of the Convention Parliament in 1660, and died in 1670. He was of very small size, and the Royalist writers of the day described him as being a deformed dwarf, but, says the Dictionary of National Biography, his military career showed him to be a gallant and efficient officer, and his correspondence, that he was a man of sense, energy and courage. While there appears no positive evidence that Butler was ever in his service, yet it is evident (from a rhyme which requires the word Luke, or a similar sound) that he intended his "Colonel" to represent Sir Samuel.

Sir Samuel Luke married Elizabeth, daughter of William Freeman, and was succeeded at Woodend by his eldest son, Oliver Luke, who married Elizabeth, daughter of Onslow Winch, of Emerton, Bedfordshire. George Luke, fourth child of Oliver and Elizabeth Luke, was born July 29th, 1659.

The *Gentleman's Magazine* (1824, II, 124 &c.) states that the family of Luke became extinct with George Luke, grandson of Sir Samuel, and that his tomb remained in the pavement of Cople Church, with an inscription stating he was "The last Luke of Woodend." *Lyson's Bedfordshire*, page 72, says that this George Luke, the last of the family, died in 1732.

George Luke, of Virginia, was a grandson of Sir Samuel, but whether he was the George Luke who was buried at Cople in 1732 is not known. It is, however, probable that he was.

Besides the authorities cited, see the *Visitations of Bedfordshire* (Harleian Society).

Major Robert Beverley and His Descendants.

BY W. G. STANARD.

(CONCLUDED.)

Since the preceding instalment of this article was prepared, the writer has had access to the register of Christ Church parish, Middlesex county, now at the Episcopal Theological Seminary, and found a number of entries in relation to the Beverleys. They will be referred to as "Parish Register."

"Major Robert Beverley and Madam Katherine Hone were married in Gloster, March 28th, 1679. Major Robert Beverley [native], of Yorkshire, died March 15th and was buried March 19th, 1686." As the term, "Madam," was not commonly applied to unmarried women, it is possible that Katherine Hone was the widow and not the daughter of Major Theophilus Hone, and that she was the sister of Colonel John Armistead, of Gloucester county.

MAJOR ROBERT¹ and Mary Beverley had issue: 2. *Peter*,² 3. *Robert*,² 4. *Harry*,² 5. Mary, married before June, 1694, William Jones, of King and Queen.

MAJOR ROBERT and Katherine Beverley had issue: 6. William,² baptized January 4th, 1680 (*Parish Register*), married Judith, daughter of Christopher Wormeley and widow of Corbin Griffin, and died between June 3d and August 3d, 1702 (*Middlesex Records*). Whether he left issue is not known. His widow, Judith Beverley, married October 12th, 1703, Christopher Robinson (*Parish Register*.) 7. John,² in 1687 was under the guardianship of his brother, Peter Beverley (*Middlesex Records*); was in England prior to October, 1694, as at that date the executors of Christopher Robinson, executor *de bonis non* of Major Robert Beverley render an account which includes an item of £40 paid to Perry and Lane, of London, merchants, for entertaining and accommodating Major Robert Beverley's sons, Harry, John and Robert. He died without issue (*Hening VIII*, 227, &c.); 8. Thomas,² died September 20th, 1686, and was buried in the Lower Chapel (*Parish Register*). He had no issue (*Hening VIII*, 227, &c.); 9. Christopher,² baptized February 19th, 1686. He was under the guardianship of his brother, Harry Beverley, who, on April 4th, 1704, gave bond as his guardian, in the sum of £3,000 sterling. He was sheriff of King and Queen 1729 (*Council Journal*), and died without issue (*Hening VIII*, 227, &c.); 10. *Catherine*.²

2. COLONEL PETER² BEVERLEY, of Gloucester county, was clerk of

the House of Burgesses 1691-99 (*Hening*), clerk of Gloucester county 1702-14, and probably other years; Speaker of the House of Burgesses 1700-14 (*Hening*); Treasurer of Virginia 1710-23 (*Hening*); appointed a member of the Council in 1719, and died in 1728 (*Sainsbury Abstracts*). Governor Spotswood, writing May 24th, 1716, to William Blathwayt, Auditor-General of the North America Colonies, tells him he has removed his deputy, Philip Ludwell, and recommends as his successor either John Robinson or "Mr. Peter Beverley, who has for several years been Speaker of the House of Burgesses, and is, at present, the Country's Treasurer. They are both persons for method and exactness in their business, and have always behaved themselves respectfully to all ye Governors they have lived under" (*Spotswood Letters* II, 162), and on July 3d he writes that he has determined to appoint Peter Beverley deputy auditor for the interim. Colonel Peter Beverley married Elizabeth, daughter of Major Robert Peyton, of "Isleham," Gloucester county, Virginia, who was a grandson of Sir Edward Peyton, Baronet (*Hayden's "Virginia Genealogies,"* 466-68, and epitaph of Mrs. Elizabeth Randolph, below). If he made a will, it was destroyed with the records of Gloucester county. Issue: 11. *Susanna*; 12. *Elizabeth*.

3. ROBERT³ BEVERLEY, of "Beverley Park," King and Queen county, a large estate which had formerly belonged to his father. In an act passed November, 1766, it is stated: "Whereas Robert Beverley, the elder, of the county of Middlesex, gentleman, deceased, was in his lifetime seized of a valuable estate and lands, commonly called and known by the name of Beverley Park, situate in the parish of Drysdale in the counties of King and Queen and Caroline, containing seven thousand six hundred acres," and that 6,000 acres of this devised to Thomas and John Beverley, and an adjoining tract called The Plain, containing 1,200 acres which was inherited by Christopher Beverley, had come, in default of any issue of these persons, to William Beverley, Esquire, eldest son and heir to Robert Beverley, son of the first named Robert Beverley; and that the said William Beverley died seized thereof, leaving issue Robert Beverley, Esq., who was now possessed of the same.

Robert Beverley was clerk of King and Queen county 1699-1702; member of the House of Burgesses for Jamestown 1699, 1700, 1702, 1706, &c. (*Hening* and list in *Virginia Historical Magazine*); was left out of the commission of the peace of King and Queen county in 1705 because he was not then a resident of the county (*Council Journal*), but in 1718 was appointed presiding justice of King and Queen. He was clerk of the Council in 1697, &c., as he states in his history he accompanied Governor Spotswood to the mountains, and was therefore one of the Knights of the Golden Horseshoe. During a visit to London, in 1703, the writing a history of Virginia was suggested to him, and the first edition of his "History of the Present State of Virginia" was published in London in 1705, and a second in 1722.

The diary of John Fontaine, preserved in the "Memoirs of a Huguenot Family," gives an account of a visit to his house at "Beverley Park," in 1715. Fontaine writes:

"*June 11th, 1715.*—We continued on to the other side of the river [the Mattapony], which is King and Queen county.

"*12th.*—Arrived at Mr. Robert Beverley's house, which they reckon from Mr. Baylor's thirty miles. The roads very good. Here we were well received.

"*13th.*—It being blowy and showery we remained here. After breakfast we went to see Mr. Beverley's vineyard. This Beverley is the same that made the History of Virginia. When we were in his vineyard we saw several sorts of vines which are natural, and grew here in the woods. This vineyard is situated upon the side of a hill and consists of about three acres of land; he assures us that he made this year about four hundred gallons of wine. He hath also canes and a wine press; but according to the method they use in Spain, he hath not the right method for it, nor his vineyard is not rightly managed. He hath several plants of French vines among them.

"*14th.*—The weather was very bad, and rained hard. We were very kindly received. We diverted ourselves within doors, and drank very heartily of the wine of his own making, which was good; but I find by the taste of the wine that he did not understand how to make it. This man lives well; but though rich, he has nothing in or about his house but what is necessary. He hath good beds in his house, but no curtains; and instead of cane chairs, he hath stools made of wood. [This was a very exceptional case, for the inventories of the time show in most houses a great number of good chairs.] He lives upon the product of his land.

"*15th.*—Blowing weather. Mr. Beverley would not suffer us to go. He told me the reason he had for making so large a vineyard was, that about four years ago he made a wager with the gentlemen of the country, who thought it impossible to bring a vineyard to any perfection. The following was the agreement: If he would give them one guinea then, in hand, they would give him ten, if in seven years' time, he could cultivate a vineyard that would yield at one vintage, seven hundred gallons of wine. Mr. Beverley gave a hundred guineas upon the above-mentioned terms, and I do not in the least doubt but next year he will make the seven hundred gallons. [Beverley in his History, edition 1722, states there was a vineyard in Virginia, evidently meaning his own, which had made 750 gallons at one vintage.] We were very merry with the wine of his own making, and drank prosperity to the vineyard.

"*16th.*—Mr. Beverley detained us and we went out a hunting. We saw several deer but could kill none. We shot some squirrels and part-

ridges, and went round a great tract of land that belongs to him, and returned home. We passed the time away very agreeably, and so to bed.

"17th, Sunday.—About ten of the clock we mounted our horses, Mr. Beverley with us, and we went about seven miles to his Parish Church, where we had a good sermon from a Frenchman named Mr. De Latiné, who is minister of the parish. After service we returned to Mr. Beverley's house and finished the day there.

"18th.—Mr. Beverley's son hindered us from proceeding on our journey this day by promising to set out with us the next morning; so we took our guns and went a hunting * * * and so returned to our friend's house, and passed away the evening merrily.

"19th.—In the morning, about nine of the clock, we mounted our horses and took leave of Mr. Beverley. His son came with us."

The party which was lead by Governor Spotswood to explore the mountains, also halted at "Beverley Park," and was joined by their host. Their first camp was called "Camp Beverley," in his honor. If he made a will it was destroyed with the records of King and Queen county.

Robert Beverley married Ursula, daughter of Colonel William Byrd, of "Westover." Her tomb was formerly in the churchyard at Jamestown, but has now entirely disappeared. The following copy of the epitaph is from an old newspaper:

[Arms.]

"Here lyeth the body of
Ursula Beverley late wife of Robert
Beverley, daughter of ye Hon'ble
Col. William Byrd, who departed
this life the last day of October
1698, being much lamented of all
that knew her. Aged 16 years, 11
months and 2 daies."

Issue: 13. *William*.³ (It has been stated, on what authority I do not know, that this Robert Beverley also had a daughter, Ursula, who married John Dudley, of Hanover county; but the early age at which his wife died would render it probable she had only one child.)

4. CAPTAIN HARRY³ BEVERLEY was appointed a justice of Middlesex in 1700, and was surveyor of King and Queen and King William counties 1702-1714. There is recorded in the *Council Journal* a report dated April 30th, 1713, of Philip Ludwell and Nathaniel Harrison, commissioners for surveying the North Carolina boundary line, in which is the following item: "To Harry Beverley, surveyor, for 38 days' attend-

ance of himself and his servant with his instruments for the discovery of the Latitude of the several places, by both governments £38'' due.

In the summer of 1716 Spotswood fitted out a sloop, named the *Virgin*, which he put under the command of Captain Harry Beverley, with instructions to go to the Bahamas and the Isle of Providence in quest of pirates, Spanish wrecks, &c. The Governor sent a copy of the instructions to Beverley which were dated June 5th, to the English authorities. The day after sailing "she was surprised with a violent hurricane and drove as far eastward as Bermuda." On the fifth day the sloop was taken by a Spanish man-of-war (though the countries were at peace), rifled, and the men stript, abused and made prisoners. Captain Beverley wrote from St. Domingo that he had petitioned for a trial, but had been refused, and that all he had to expect was that he and his men would be sent to the mines. He and his crew were taken to Vera Cruz, where a trial was still refused, and no subsistence was allowed him or his men, but what the Assiento factory [the English agency under the Assiento treaty] bestowed out of charity. Several of the men perished for want of necessaries, and many of them were reduced to beg about the street till they could find an opportunity of getting off. After seven months' imprisonment Beverley escaped, and reached Virginia shortly before August, 1717 (*Spotswood Letters* II, 245, 250, 259, and *Sainsbury Abstracts*). Though ostensibly the chief object of this voyage was to obtain information in regard to the pirates or to attack them, yet it seems probable that the real one was treasure hunting, after the manner of Phipps. Indeed, "Spanish wrecks" are mentioned in the instructions to Beverley. Mrs. Elizabeth Churchill, in her will, dated November 9th, 1716, provides that if Mr. Harry Beverley brings back any moneys or other returns from the wrecks, her share should go to certain of her grandchildren (*Middlesex Records*).

Captain Beverley probably removed to Spotsylvania county about 1720. In a deed recorded in Essex and dated 1728, he styles himself "of Newlands," Spotsylvania county, and was for a number of years presiding justice of Spotsylvania [*County Records*]. He died 1730. He married about 1700 Elizabeth, daughter and heiress of Robert Smith, of "Brandon," Middlesex, and granddaughter of Major-General Robert Smith, of "Brandon," who was long a member of the Council, and died in 1687.

The following is a copy of the will of Harry Beverley from the recorded copy at Spotsylvania Courthouse:

In the name of God Amen; I Harry Beverley of the Parish of St. George in the county of Spotsylvania, being sick in body but of sound and perfect mind & memory, thanks be to Almighty God for it Do make, constitute and appoint this to be my last will and testament in manner and form following, vizt.—I recommend my soul into the hands of Almighty God, hoping through the merits of the Death & passion of my

ever blessed lord and Saviour Jesus Christ to enjoy everlasting bliss and happiness, and my body to the earth to be buried in such decent manner as shall please my executor hereafter named, and as for the Disposing of all such estate as it hath pleased God to bestow upon me I give and bequeath as followeth—

I will that all my Debts and funerall charges be fully paid and Satisfied.

Item. I give to my daughter Elizabeth Stanard & her heirs forever the lower part of my tract of land on the River Tae in Spotsylvania county; that is, all that part of the said land that lies below the branch that is next and below Col. John Robinson's bridge, and so up that branch eighty poles & thence north east to the outermost bounds of the tract.

Item. I give to my daughter Mary all the rest and residue of the above said tract of land to her and to her heirs forever, also two negro slaves named Joshua & Cloe & their increase & my riding horse over & above her equal share of my slaves & personal estate in consideration for her services eleven years as my House Keeper.

Item. I give to my daughter Margaret & to her heirs forever my tract of land called Cowland on the River Poe, also four hundred acres out of my Pamunkey tract, after each of her sisters land of a thousand acres given in this my will is laid off, the said four hundred acres to be laid off in a compact figure, in what part of the remainder of the said tract she pleases.

Item. I give to my daughter Susanna and to her heirs forever, one thousand acres of land, out of my Pamunkey tract to include the Plantation whereon Michael Pearson now lives to be laid off as near a square as may be conveniently.

Item. I give to my Daughter Catherine and to her heirs forever One thousand acres of land, out of my Pamunkey tract to be laid off next above her sister Judith's land on the river as near a square as may be.

Item. I give to my Daughter Judith & to her heirs forever one thousand acres of land out of my Pamunkey tract to be laid off Joining to the land I sold to Andrew Harrison and up the river within half a mile of Stonehorse run.

Item. I give to my daughter Agatha & to her heirs forever one thousand acres of land to be taken out of my Pamunkey tract in what part she pleases in a compact figure that is not already in this my will given away.

Provided notwithstanding, that if there should be any copper ore, silver mine or mines found within twenty years after my decease on any part of my aforesaid Pamunkey tract of land whether before bequeathed in this my will or not; together with fifty acres of land adjoining. It is my will and I give the same among all my children and their Representatives in the following manner vizt: To my son Robert and to his

heirs forever two shares & to each of my daughters & to their heirs forever one share.

Item. It is my will that what slaves any of my daughters have already had shall be valued at the worth they were off when they had them and be accounted for upon the division.

Item. All the rest of my lands not before disposed of in this my will, I give and bequeath to my son Robert and to his heirs forever.

Item. All the rest and residue of my slaves, money & all manner of chattills, I desire may be equally divided amongst all my children.

Item. I do make and appoint my son Robert my whole and sole Executor of this my last will and testament. Witness my hand & seal this thirteenth day of November in the Year of our Lord One Thousand Seven Hundred and thirty.

HARRY BEVERLY { Seal. }

Signed, sealed & delivered in the presence of us.

JOHN GORDEN,

His

JOHN IH. HENDERSON,

Mark.

His

WILLIAM X CHAPMAN,

Mark.

His

THOMAS T. S. SELLARS,

Mark.

At a Court held for Spotsylvania County on Tuesday, February 2nd, 1730-1.

This will being sworn to by Robert Beverly Gent. Executor therein named, was proved by the oaths of John Gordon, John Henderson, William Chapman and Thomas Sellars and admitted to record.

Teste:

JOHN WALLER, Cl'k Court.

A true copy teste:

J. P. H. CRISMOND, C. C.

Issue: 14. *Elizabeth*;³ 15. *Robert*;³ 16. *Susanna*;³ 17. *Mary*;³ 18. *Catherine*;³ born December 7th, 1708 (*Parish Register*); 19. *Judith*;³ 20. *Peter*, born July 2d, 1712 (*Parish Register*), died before his father; 21. *Agatha*, born September 22d, 1716 (*Parish Register*), married in 1737. *William Robinson* (*Spotsylvania Records*), of Spotsylvania county, said to have been a brother of Speaker John Robinson; 22. *Anne*;³ 23. *Margaret*.³

The following letter from Captain Harry Beverley, in relation to his

capture, is preserved among the Virginia records in the capitol at Richmond:

"Sr. The argum'ts that I shall make use of, if ever I have any tryall will be that all the advantage we expected from wrecks, was to find Some on the Bahamas in the King of England's Dom'n, where we had the news in Virginia, of wrecked goods being found—And that the Arms were put on board to Secure us from Pyrates, who were likely to spoyl ye Virginja Salt trade, and would equally be dangerous to the Spanish Mec't Ships—And what I guess ye Courteous Don expects to Shelter himself under is, what Serv'ts and Indian Slaves I had on board for the sake of their freedom, have told them—that I was bound to florida to join ye Jamaica men, w'ch was never my Intent & wholly Contrary to my Instructions as my approach being * * [illegible] in ye main Ocean nearest Bermudas of any land—they fired three Shott at us, ye English Ensigns being spread on board us, before they Comanded us on board them, w'ch came very near, but did us no harm; w'ch together w'th their other injurys, how far it may make them guilty of Piracy, I submit to your Hono'r's Judgm't. The Chief Comander is a frenchman born, has a wife and family in Madrid and Intends to go home from La Vera Crux—being forced to write in hast, and in a crowd of mulattos, hope yo'r goodness will pardon the Scribble and rudeness of these from

Yo'r Hon'ors ever most obedient Ser'vt &c.

"All that I can be certain of gaining by ye voyage, is a Certain Antidote ag'st Popery. We have ridiculous prayers to St. Ignatius, and ye rest of their S'ts twice a day, and a General Swearing, lying, Cursing, Stealing, Cheating and all manner almost of vice all ye rest of ye day & night."

10. CATHERINE² BEVERLEY married Hon. John Robinson, of "Piscataqua," Essex county (son of Christopher Robinson, of "Hewick," Middlesex, Secretary of State and member of the Council, and nephew of John Robinson, Bishop of London. See *Virginia Historical Magazine*, July, 1895, page 3, &c.) He was born 1683; was, when a young man, in England under the charge of his uncle, Bishop Robinson (*Spotswood Letters*); was a justice of Middlesex 1706, appointed to the Council in 1720, and as President of that body was acting Governor in 1749, when he died. He married secondly, Mary, widow of Thomas Welch and of Francis Merriwether, of Essex, and daughter of Launcelot Bathurst, but had no issue by this marriage. He was the father of John Robinson, long Speaker of the House of Burgesses, of Colonel Beverley Robinson, of New York, and others.

ABSTRACTS OF VIRGINIA LAND PATENTS.

PREPARED BY W. G. STANARD.

(195) JOHN RISHTON, 50 acres in the county of James City, upon the great creek over against James Town; lying near the first arm that comes west from the great Creek called Crosse Creek—due said Rishton by covenant from his late master Richard Perry, of London, merchant, dated July 26th, 1628. Granted by West July 8th, 1635.

(196) JOSEPH STRATTON [1], 500 acres at a place commonly called Nutmeg Quarter in the County of Denbigh, bounded on the south west by a piece of land that did belong to Captain John Smith, and now in the tenure of Percivall Champion and John Slaughter and on the north west by the land of John Layton—said land being a dividend formerly belonging to Sir Francis Wyatt [2] and now due to said Stratton by sale from Captain William Peirce, the attorney of Sir Francis Wyatt. By West July 8th, 1635.

NOTES.

[1] Joseph Stratton was Burgess for Nutmeg Quarter 1629-30, and for "from Waters' Creek to Marie's Mount," 1632.

[2] Sir Francis Wyatt was Governor of Virginia from November, 1621, to August 26th, 1625, when a new commission was issued to him, and he continued in office until the 18th of September, when he received permission to go to Ireland where his presence was required by matters of business consequent upon the death of his father, Sir George Wyatt, of Boxley, Kent, England. He was again Governor from November, 1639, till February, 1641. He was born 1588, matriculated at St. Mary Hall, Oxford, July 1st, 1603, and at Gray's Inn in 1604; knighted July 7th, 1618; buried at Boxley August 24th, 1644. He was an excellent and honorable man, and one of the best of the early Governors. By his wife, Margaret, daughter of Sir Samuel Sandys, of Ombersley, Worcestershire, he had several children. Among them were Henry, the oldest, and Francis, who entered King's College, Cambridge, in 1639, and the Inner Temple in 1641.

Rev. Hawte Wyatt, brother of Sir Francis, was born 1594, matriculated at Queen's College, Oxford, October 25th, 1611, and was a student at Gray's Inn. He was minister at Jamestown during his brother's first administration, but returned to England with him; served Marston Chapel 1630, became Vicar of Boxley, Kent, in 1632, and died July 31st,

1638. He married (1) Elizabeth ———, who died October 31st, 1626, and (2) Ann ———, who died February, 1631. By the first marriage he had two sons, George and Edward, who came to Virginia, whose descendants lived in Gloucester, New Kent and other counties. The old estate of the Wyatts in Gloucester was named "Boxley."

In 1663 "Edward Wyatt gentleman," patented land at the Middle Plantation, and with his wife, Jane, sold it in 1667. In 1662 he patented land in Gloucester, and after that date resided there. In 1665 he was security for Edward Conquest (perhaps a brother-in-law) to serve James Miller, of Surry county, for two years of his term assigned by "Capt. John Scott Esq. of the Long Island" [New York?]. In 1672 Conquest Wyatt, "son and heir" of Edward Wyatt, patented lands on Hoccadies creek, near his own old plantation. Conquest Wyatt was vestryman in 1690, and sheriff of Gloucester 1705 and 1707. The following were vestrymen of Petworth Parish, Gloucester: Francis 1710-1728, Conquest 1727, Captain Edward 1740, Captain John 1753, Peter 1763, Captain John 1775, and James 1787. Captain John Wyatt or Wiatt (as the name has been generally spelt in Gloucester) was born May 15th, 1732, and died January 5th, 1805; married Mary, daughter of Christopher Todd, of Toddsbury, and had Dr. William E. Wiatt, born 1762, died December 26th, 1802, who was sheriff of Gloucester in 1802, and married February 8th, 1781, Mary, daughter of John Graham, of Prince William county. They had issue: I. John, married Cecilia Dabney; II. Dr. W. G., married in 1822 Louisa, daughter of John Stubbs, III. Eliza Maria, married Walker Jones; IV. Eleanor, married Colonel Scott, of Petersburg; V. Colonel Thomas Todd, never married; VI. Colonel Hawte, never married. The register of Abingdon parish, Gloucester, contains entries of the marriage of Mr. Francis Wyatt and Miss Lucy Row, October 30th, 1742, and the birth of their children, Mary and Anne.

William G. Wiatt was sheriff of Gloucester 1831. James Wyatt, member of the House of Delegates from Gloucester 1819. James C. Wiatt and Isabella Fauntleroy, of Gloucester, were married in 1819. James C. Wiatt, member of the House of Delegates from Gloucester 1822. Peter Wyatt, of "Upton," Gloucester, died September 28th, 1824, aged 25, leaving issue. James C. Wiatt, of "Oakley," Gloucester, elder brother of the preceding, died September, 1824. He was a justice and delegate from Gloucester, and left one child. There is at "Oakley" the tomb of Peter Wiatt, who died December 26th, 1815, aged 47 years, and of his wife, Frances L., who died February 13th, 1847, aged 47. They were probably the parents of Peter and James C., just named.

George Wyatt, cooper, lived at the Middle Plantation as early as 1645, and had in 1660 a wife, Susannah. George Wyatt patented 250 acres at the Middle Plantation on October 4th, 1645, and in 1671 it was sold by his "son & heir," Henry Wyatt, of Gloucester. The latter soon removed

to New Kent, as in 1686 Henry Wyatt and Alice, his wife, of the latter county, sold land stated in the deed to have belonged to his father, George Wyatt, of the Middle Plantation.

William Wyatt patented 400 acres in Gloucester in 1653, 400 in Gloucester in 1663 (who is styled Major William Wyatt), and 1,940 acres in New Kent in 1664. In 1665 Major William Wyatt was a witness to a deed from the king of the Chiskoyack Indians to Mr. Edward Wyatt. Major William Wyatt, sheriff New Kent, 1671. William Wyatt, Jr., patented in 1670 land in New Kent, adjoining that of Major William Wyatt. Richard Wyatt patented 500 acres on Mobjack Bay, Gloucester, 1642, and in 1666 this was regranted to Thomas Wyatt, as due him, being the son and heir of Richard Wyatt. In 1705 Henry Wyatt, of New Kent, son of Richard Wyatt, was a legatee of Henry Wyatt, deceased. This Richard Wyatt was probably not the same as Richard Wyatt, the Gloucester patentee.

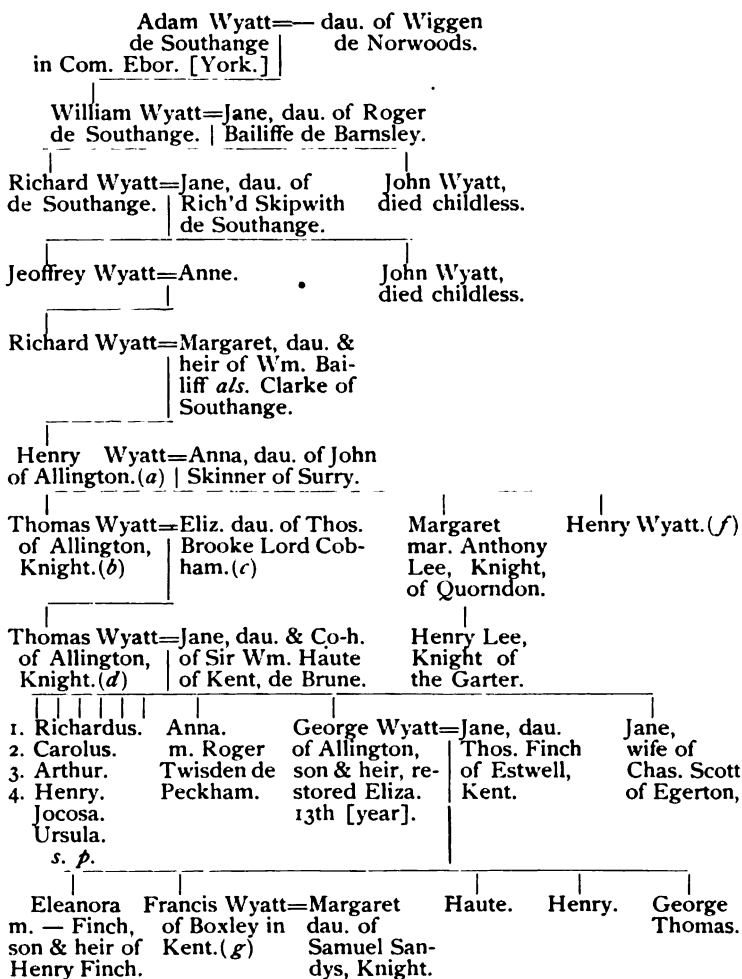
The name appears frequently in New Kent, King and Queen and the adjoining counties. Richard Wyatt was appointed a justice of Caroline 1793, and afterwards removed from the county. William Wyatt, of Richmond City, died June 27, 1837, aged 53. William R. B. Wyatt living in Caroline 1865. Joseph Wyatt lived in New Kent 1768. Richard Wyatt owned land in King and Queen 1768. Thomas and William Wyatt lived in King and Queen 1836. William S. Wyatt of Caroline died January 24th, 1839, aged 64. Captain Richard Wyatt, aged 83 years, died June 12th, 1845, at the residence of his son-in-law Samuel A. Guy, Louisa county. He had served in the Revolution (*Enquirer*.) Major John Wyatt, of Hanover county, died at an advanced age September 21st, 1846. He had served under General W. H. Harrison in his Indian campaigns, (*Enquirer*). Colonel Joseph Wyatt, of Charlotte county, died April 28th, 1843, aged 92 or 93 ("as near as he could arrive at his age.") He was a native of New Kent, and was for forty-four years successively a member of the Legislature (*Enquirer*.) He had perhaps been a member before this long term of years began, for a Joseph Wyatt was member of the House of Delegates in 1791 and 1792.

For a notice of the decedants of Anthony Wyatt, of Charles City County, see elsewhere in this Magazine.

Credit is due to the *William and Mary Quarterly* for information here made use of.

In the church of Boxley, Kent, England, is a mural monument erected by Edward Wyatt (who died 1714) to the memory of several members of his family. The epitaph names Rev. Hawte Wyatt, and states that he had "issue now living in Virginia."

The following pedigree of the Wyatt family is derived from the life of Sir Thomas Wyatt, prefixed to the edition of his works by G. F. Nott, London, 1816:



a. Knighted in the Tower by Henry VIII at his Coronation.

b. Knighted at Westminster xxvi, Henry VIII [1535].

c. She married, after Sir Thomas Wyatt's death, Edward Warner, Knight.

d. Knighted before 1st Edward VI; attainted 1st Philip and Mary.

f. This branch of the family settled afterwards in Essex.

g. Knighted at Windsor 7th July, 1718.

(197) JENKIN OSBONE [1], 400 acres in Charles City between the land patented by Capt. Woodley [2], and that of Wm. Bayly due for the transportation of 8 persons (names below). By West July 9, 1635.

Wm. Brock, Thos. Ashton, John Cugley, Thos. Bateman, Thos. Tyler, George Pursen, Thomas Jones, Samuel Ramsey.

NOTES.

[1] Jenkin Osbone was born in 1600, came to Virginia in 1617, and was living at Shirley Hundred in 1624.

[2] This name should be Woodlief. John Woodlief, gentleman, was member of the Virginia Company in 1609. Captain John Woodlief was a member of a company composed of Berkeley, Thorpe, Tracy, Smith and other Gloucestershire men, which was organized to establish a plantation in Virginia, and he came to the Colony in 1620 as agent for the company. He settled in that part of Charles City county which is now Prince George. The following disconnected notes relate to persons of the name who were probably his descendants: Woodlief, of Prince George, who died in or before 1701, married Elizabeth, eldest daughter of "Mr. James Wallas," who died before 1701. Edward Woodlief, Jr., of Prince George, patented 204 acres in that county in 1720. Edward Woodlief (probably the same) patented 339 acres in Prince George in 1739. Peter Woodlief was appointed vestryman of Bath parish, Dinwiddie, in 1749. Peter Woodlief, appointed justice of Prince George county 1795. Peter Woodlief was member of the North Carolina House of Commons for Northampton county 1803-4 and 1811-13. Colonel Devereux Jarrett Woodlief, born near Petersburg, Virginia, served with distinction in the wars of Texas and the United States against Mexico, was several times wounded (once severely, while serving in the Texas cavalry April 20th, 1836), and some years later was killed in a duel in California. P. W. Woodlief, of New Orleans, cadet Virginia Military Institute, was wounded at the battle of Newmarket, Virginia, May 15th, 1864. There is recorded in Prince George the will of Edward Woodlief, dated September 20th, 1718, and proved February, 1719. Legatees: wife Sarah, sons Joseph, John and Edward, daughter Pace and three other daughters whom he does not name. Also deed, dated April 13th, 1722, from George Woodlief and his wife, Norah, and Mrs. Mary Woodlief. In 1738 John Woodlief and Thomas Harrison qualified in Prince George as executors of John Woodlief, deceased.

(198) THOMAS BAILIE [1], 150 acres in Charles City county near the mouth of Bayly's Creek—50 acres due the said Wm. Baylie as heir of his father Wm. Baylie, who died possessed thereof, and 100 acres due for the transportation of Mary Welsh and Mary ———. By West July 9th, 1635.

NOTE.

[1] William Bayly, of West Shirley Hundred in 1624, was born in 1583, married Mary — (born in 1600), and came to Virginia in 1617. They had issue Thomas, the patentee, born in 1620 (*Hotten*). A William Bayley, gentleman, came to Virginia in 1607.

(199) THOMAS PHILLIPS [1], 300 acres in the county of James City on the south side of Chickahominy River—due as follows: 50 for his own personal adventure, 50 for the personal adventure of his wife Elizabeth, 50 for the personal adventure of his daughter Elizabeth, and 150 for the transportation of three persons, Robert Greenfield, Robert Mason and Solomon Davillos a negro. By West July 9th, 1635.

NOTE.

[1] Thomas Phillips was born 1598, came to Virginia 1618; Elizabeth, his wife, born 1601, came to Virginia in 1621.

(200) ROWLAND CHAMBERS, 50 acres in the county of James City at a point called poyny [piney?] point on Chickahominy River, due by covenant from Thos. Phillips his master. By West July 4th, 1635.

(201) WILLIAM PILKINTON [1], 300 acres on the east side of Lowne's Creek—due 50 acres for his own personal adventure, 50 for the personal adventure of his wife Margaret, and 200 for the importation of Thos. Bellow, James Pinkney, Thos. Stephens, and one boy. By West July 10, 1635.

NOTE.

[1] William Pilkinton came to Virginia in 1620.

(202) ERASMUS CARTER, 100 acres in the county of James City on the south side of James River, in a neck of land lying between "Smith his Mount" and "Captain Browne his plantation," commonly called the halfe way tree neck—due 50 for the personal adventure of his wife Phillis Carter and 50 for the transportation of a servant named Thos. Cole. By West July 10, 1635.

(203) THOMAS BUTLER, Clarke and Pastor of Denbie, 1000 acres in the County of Warroquojacke, within a small river that falleth into the bay of Nanzemond and runneth on the back of the land of George Fawdor and John Perrot, the land beginning at a Cedar point about two miles within the mouth of the said river upon the south side thereof, running southerly to an Indian Town &c., the said land being the right of John Brewer Esq. [1], 50 acres due for his own personal adventure, 50 for the personal adventure of his wife Marie Brewer, and the other 900 for the transportation of 18 persons (names below), which said John

Brewer deceasing, and said Thomas Butler Clarke, marrying with Marie Brewer, his relict, said land is transfered to said Butler. Grant by West June 11, 1635.

John Potter, Rice Davis, Elizabeth Rawell, Elizabeth Wallis, Ann Williams, Susanna Williamson, Dorias Hound, John Jordan, Dennis Mahoney, Edward Willis, Redman Fitzgarret, Nicholas Welsh, Thos. Kethe, John Langston, Micheal Babbington, Roger Williams, Robert Johnson and Thos. Witney.

NOTE.

[1] The land granted in this patent is still known as "Brewer's Neck," and lies between Brewer's and Chuckatuck Creeks. John Brewer, mentioned in the patent, was a member of the House of Burgesses for Warwick River 1629-30, commissioner, member of the Council 1632, and died in or before 1635. His will has been published in *Waters' Gleanings in the New England Historical and Genealogical Register*. The following is an abstract: Will of John Brewer, citizen and grocer of London, 4th September 1631, proved [in England] 13th May 1636. I do will that after my decease my body be buried without any mourning apparel or gowns given to any but those of mine own household. To my dearly beloved father Thomas Brewer, eight pounds yearly, and every year so long as he shall happen to live after my decease (payable quarterly). I do will and bequeath unto my son John Brewer my plantation in Virginia called Stawley [Stanley] Hundred *als* Bruers Borugh, only the third part of the profits thereof arising during the life of Mary my wife I do give unto her, as also the third part of all my goods and chattels besides which is also due unto her by the custom of the City of London. To my son Roger Brewer and my daughter Margaret Brewer forty pounds apiece, payable at day of marriage or age of one and twenty. To my brother Thomas Brewer forty shillings and each of his children ten shillings, in one year after my decease. The residue to my said three children, John, Roger, and Margaret, to be equally divided between them, and I make them executors, but as they are now young and not able of themselves to manage and dispose of those things that belong unto them I do hereby authorize and appoint my dearly beloved wife Mary Brewer, and my loving uncle Mr. Roger Drake, citizen and cloth-worker of London, not only overseers but also full and absolute guardians unto my said children. If my son John happens to die before he attains the age of twenty and one years, then my plantation to go unto my son Roger and his heirs forever. And if both my said sons happen to die before they attain the age of twenty and one years then my said plantation to descend, half to my daughter Margaret and half to my wife. To each of the said guardians forty shillings to buy each of them a ring for a remembrance of me.

Administration was granted to the widow, Mary Brewer, *als* Butler, the testator being said to have lately died in Virginia. It is probable

that the son, John, was the person of the name who was Burgess for Isle of Wight in 1657-8. The name has continued in Nansemond to the present day. Paul Brewer owned land in Nansemond in 1717. Thomas Brewer was vestryman of Newport parish, Isle of Wight, in 1722. John Brewer patented land in Isle of Wight in 1742. Thomas Brewer was sheriff of Isle of Wight 1725. In the General Court record-book, under date November 20th, 1671, it is stated that Mr. John Harloe informed the court that Mr. Anthony Holliday [of Nansemond or Isle of Wight], who married the widow of Mr. John Brewer, held more land in Warwick county than the patent called for.

(205) WILLIAM PRIOR [1], 200 acres, bounded N. E. by Charles River, south by his own dividend and west by the land of Lewis Cocke; due for the transportation of four persons: Wm. Prior, Wm. Norton, Ann Powell and Ann Cooke. By West July 11th, 1635.

NOTE.

[1] William Pryor was a justice of York county from 1633 until his death in 1646. His will was dated June 21st, and proved January, 1646, in York county. The following is an abstract: Give to my oldest daughter, Margaret, my whole part of the ship Honnor, and £590 sterling—to my daughter, Mary, £500 sterling—to the eldest son of my brother-in-law, Jasper Clayton, £50 sterling. I bequeath among the rest of Jasper Clayton's children £100 sterling to be equally divided. To the wife of Richard Kemp, Esq., £50 sterling. To Richard Bennett, Esq., £30 sterling. To Captain Thomas Harrison, Captain of the ship Honnor, £30 sterling. To Captain Thomas Harwood £30 sterling. To my eldest daughter, Margaret, the whole dividend of land where I now live, and the remainder of my land I give to my daughter Mary. To Mrs. Mary Kerton £100 sterling. In case I have not so much money now in England to pay the legacies here given, my children are to be paid in the first place, and the others to be paid out of the tobacco sent home this year, and out of the proceeds of the estate in Virginia. All the rest of my estate I give to my two daughters whom I appoint executors. Request my beloved friends, my brother-in-law Jasper Clayton, Captain Thomas Harrison and Captain Thomas Harwood to be overseers.

A record in York county shows that in 1685 the daughter, Margaret, was the wife of Thomas Edwards, of the Inner Temple, London, gentleman.

(206) JOHN WATSON, 150 acres at the New Poquoson, adjoining the land of Christopher Stoakes [1] and Joseph Jolly—due for the transportation of one servant Richard. By West July 11th, 1635.

NOTE.

[1] Christopher Stokes was member of the House of Burgesses for

Warwick county in 1629 and for Denbigh 1629-30. There is on record in York county an order, dated May 25th, 1648, which states that Christopher Stooks, deceased, by his will gave a certain number of cattle to his sons Christopher, William, Francis and Thomas; also that Thomas was dead, and that his share had been inherited by his brother William, doubtless the eldest surviving brother. The will of Christopher Stookes (evidently the son) was dated June 8th, 1646, and proved in York July, 1646. He styles himself as "of the New Pawquoson in the County of Charles River;" gives his wife, Abeatris, half of his estate, and his brothers William and Francis, the other half. William is to have charge of the share of Francis until the latter comes of age. Gives his wife 100 acres of the land he lives on, with the "housing," and his brother William the other half. Wife and brother William executrix and executor. On May 24th, 1648, on petition of Francis Stookes, son and orphan of Christopher Stookes, late of York county, deceased, William Stookes was appointed his guardian. In 1652 administration on the estate of Francis Stookes, deceased, was granted by York county court to his widow Elizabeth.

(207) THOMAS VISCOUNT, 100 acres in the County of Elizabeth City, adjoining the land of John Moore, Thomas Bolder, and Benjamin Simms. By West July 13th, 1635.

(208) CAPTAIN CHRISTOPHER CALTHORPE [1], 500 acres at the New Poquoson in the County of Elizabeth City, lying easterly on a creek called Calthorpe's Creek, and running westerly towards John Powell's Creek, said land having been granted to said Christopher Calthorpe, by order of Court, April 26th, 1631, as being due for the transportation of ten persons. By West July 13th, 1635.

NOTE.

[1] Captain, or as he became later, Colonel Christopher Calthorpe, was the third son of Christopher Calthorpe Esq., of Blakeney, Norfolk England, and came to Virginia in 1622 when 16 years of age. The pedigree of the family in Le Neve's "Knights" says he "went into Virginia, married and hath issue." He was Burgess for York County 1644, for Elizabeth City 1644-5, and for York 1645, 1652, 1653, and 1659-60. He died in the spring of 1662. For an account of him and his ancestry and descendants see the *William and Mary Quarterly*, Vol. II, page 106 &c., 160 &c.

(209) JOHN SPARKMAN, 300 acres in the County of Warrosquoiacke, lying two miles up Pagan Point Creek on the west side—due 50 acres for the personal adventure of his wife Dorothy, and 200 for two of his

children, Joyce and Rosamond Sparkman, and two servants, Jno. Evans, and Jno. Wilsoon. By West July 13th, 1635.

(210) JOHN CLAY [1], 1200 acres in the County of Charles City beginning at the lands granted by order of Court to Captain Francis Hooke, up to the head of Ward his creek, and bounded on the north by James River—due 100 acres to him as an old planter before the government of Sir Thos. Dale, and the other 1100 for the transportation of 22 persons. By West July 13th, 1635.

NOTE.

[1] John Clay came to Virginia in 1613, and his wife Anne in 1623. In 1655 William Bayly patented 400 acres on Ward's Creek, Charles City county, purchased from William Clay, son of John Clay, who was assignee of Captain Francis Hooke, who patented in 1637.

These persons may have been ancestors of Henry Clay, whose first recorded ancestor, Henry Clay, was living in that part of Henrico which is now Chesterfield, when the extant Henrico records begin in 1677. There was also a family of Clay in Surry county from an early date.

(211) THOMAS JORDAN [1], 900 acres in the County of Warrosquoiacke, near the head of Warrosquoiacke River, beginning at the western side of an old Indian town. Due for the transportation of 18 persons. By West July 2d, 1635.

NOTE.

[1] Thomas Jordan was born in 1600 and was living in Virginia in 1624 (*Hotten*); Burgess for Warrosquoiacke (Isle of Wight) 1629, 1631 and September, 1632, and Commissioner in 1627. His descendants have been numerous in Isle of Wight, and one branch of the family possessed the land granted in the patent above until about 1840, when it was owned by Thomas Jordan who married Celia Cosby and had six sons, all of whom died without issue. Richard Jordan was Burgess for Isle of Wight 1676. Thos. Jordan sheriff of Nansemond in 1718. Thos. Jordan patented land in Nansemond in 1666. James M. Jordan member of the House of Delegates from Isle of Wight 1824. Dr. George H. Jordan member of the House of Delegates from Isle of Wight 1879-80.

(212) MARTHA TOMLYN, widow, 250 acres on a Creek on the south east side of Nanzemond River. Due for the transportation of five persons. By West July 14th, 1635.

"This was renewed in the name of Epaphroditus Lawson by Sr. John Harvey.

RICHAD KEMP, Secr."

(213) THOMAS WRIGHT, 150 acres on the western branch of Elizabeth River and bounded on the west by a Creek about three miles up said river—due for the transportation of three persons. By West July 14th, 1635.

"This Patent is renewed by Sr. William Berkeley in the name of Thomas Wright, the 26th day of April 1647, with an addition of 310 acres.

Teste—

SAM: ABBOT CL."

(214) CORNELIUS LOYD [1], 800 acres on Elizabeth River and Merchants Creek—due for the transportation of 16 persons. By West July 2d, 1635.

NOTE.

[1] In a patent dated 1636, Cornelius Loyd is styled, "of London, Merchant." He was a member of the House of Burgesses from Lower Norfolk 1642-3, and 1644; for Isle of Wight 1645, Lower Norfolk 1647, 1652 (when he held the rank of Lieutenant Colonel), November 1652 and 1653 (when he held the rank of colonel) [*Hening.*] He was born about 1608, as in a deposition of September 1st, 1648, he says he was aged 38. He died before December 10th, 1654, as on that date there is a power of attorney (recorded at Portsmouth) from Elizabeth Loyd, of Elizabeth River, relict of Cornelius Loyd, to her friend Nicholas Hart, of New England, merchant. The widow died before April 28th, 1654, when a power of attorney was given by Thomas Evans, of the City of Kilkenny, Ireland, to his kinsman John Bellgrave of Kilkenny, gent., to collect all dues &c. in Virginia which "did belong to my late sister Mrs. Elizabeth Loyd." There is an agreement, dated 26th July and recorded 15th February, 1661, between William Carver, of the County of Lower Norfolk, attorney for Mr. Nicholas Hart, of Rhode Island, for an estate left by Mrs. Elizabeth Loyd of the county aforesaid and (*a blank*) to Thomas and Mary Evans, of Kilkenny in Ireland, by which all differences are settled with Mr. John Bellgrave, of England then attorney (*New England Historical and Genealogical Register* 1893, page 96 &c.) His brother (as a patent shows), Edward Loyd, was Burgess for Lower Norfolk 1644-46, removed to Maryland before 1659, and was ancestor of the family of the name there.

(215) MR. ANTHONY JONES [1], 500 acres on the east side of Pagan Point Creek, beginning at Cross Creek &c.—due for the importation of 10 servants (names below). By West June 2d, 1635.

Nicholas Lee, Michael Brinchley, William Richards, John Weston, Jno. Aram, Edward Page, Deborah Merrard, Rich. Austin, Jos. Rich, Tho. Randall.

NOTE.

[1] Anthony Jones was born 1598, and came to Virginia in 1620, (*Hotten*); Burgess for Isle of Wight 1639 (*Robinson's Notes*); March 1642-3 (*Hening*). On April 13th, 1640, there was an entry in the Council records which stated that Mr. Anthony Jones, a commissioner of Isle of Wight, was "about to take his voyage for England."

(216) JOHN SPARKES, 750 acres at the head of Pagan Point Creek, and adjoining the marsh called the white marsh—due for the transportation of 15 persons (names below). By West June 3d, 1635.

John Sparkes, Grace Sparkes, Ellen Perkins, John Clarke, Robert Hopkins, John Grandy, William Peirce, Robert Dugg, Stephen Banister, Christopher Tennant, Rich. Cole, William Gallopin, Henry Taylor, Mary Sparkes.

(217) MR. GEORG WHITE, "Minister of the word of God," 200 acres lying northerly upon the river of Nanzemond, and westerly upon a creek dividing said land from that of James Knot, and easterly upon a creek called the first creek—due for the transportation of four persons, Georg White, William Moore, John Joyce, and Thos. Aldman. By West June 3d, 1635.

"This Pattent" was surrendered and renewed by Sr. John Harvey Kt.
RICH. KEMPE, Secr."

(218) HENRY COLEMAN [1], 150 acres lying east upon a neck of land of Mr. Eatons, west into the woods going up to Elizabeth City—due for the transportation of three persons; William Fenn, Thos. Jones, and Elizabeth Smith. By West June 6th, 1635.

NOTE.

[1] It appears from the Ancient Records quoted in *Hening* I, 223, that on October 7th, 1634, Henry Coleman was excommunicated for forty days "for using scornful speeches and putting on his hat in church, when according to order of court he was to acknowledge and ask forgiveness for an offense."

(219) JOHN JACKSON, 100 acres on the south side of Lieutenant Cheesman's Creek—due for the transportation of two servants; Robt. Garsell and Peter Buck. By West June 9th, 1635.

HISTORICAL NOTES AND QUERIES.

THE LAST INDIANS IN ORANGE COUNTY, VIRGINIA.

(Contributed by Dr. A. G. Grinnan.)

At Orange May Court in 1740, William Bohannon came and made oath "that about twenty six Saponey Indians, who inhabited Col. Spotswood's land in Fox's Neck (near Germanna on north side of the Rapidan River) go about and do a great deal of mischief by setting fire to the woods, and more especially on the 20 day of last April, whereby several farrows of pigs were burnt in their beds, and that he verily believes that one of them shot at him the same day, the bullet striking a tree within four feet of him; and that he saw the Indian about one hundred yards from him, no game of any sort being between them, and that said Indian after firing his gun stood in a stooping manner, very steadily so that he could hardly discern him from a stump, and that the said Bohannon has lost more hogs than usual since the coming of the Indians," which statement was ordered to be certified to the next General Assembly. What action was taken we do not know. The Saponey tribe of Indians lived near and on the Meherrin River, in southside Virginia, and Governor Spotswood made great efforts to educate and Christianize them. They had schools and school-masters and a minister, and were considered civilized Indians.

Probably Governor Spotswood had allowed these Indians to come and settle upon his lands; here they might raise food on their farms, but probably the great inducement was the hunting grounds in the "Wilderness," which abounded then, as it does now, with deer and other game. So wild are portions of it even at this date that rattlesnakes can still be found there, though extinct elsewhere in east Virginia except on the mountains and in some large swamps.

Wolves were very numerous, and in their destruction the Indians would find emolument, for the county paid one hundred and forty pounds of tobacco for a grown wolf's scalp, and seventy pounds for a young wolf's. Wolves remained in the "Wilderness" long after their extirpation in other parts of east Virginia. In 1798 two from there were killed near Orange Court-House, and in the same year a large one ate up a litter of puppies at the Fall Hill estate, a mile northwest of Fredericksburg, not far distant from the "Wilderness."

Strange to say one of the first churches of St. George's Parish was built in the midst of these wilds, on the road between Chancellorsville and Ely's Ford which crosses the Rapidan, near where it joins the Rapahannock: the building has long since disappeared, but vestiges of its

site and of the surrounding grave-yard, can still be traced. Possibly early settlers may have essayed in vain the culture of the "Wilderness," and abandoned it for more fruitful lands. With this digression we must follow up the fate of the Saponys.

In January 1742-43, the following Sapony Indians were arrested for hog stealing, burning the woods, &c., and were brought to Orange Court, then held near Somerville Ford on the Rapidan river; their names were Alex. Machartion, John Bowling, Maniassa, Caft Tom, Isaac Harry, Blind Tom, Foolish Jack, Charles Griffin, John Collins, and Little Jack. We give their names in full, for surely we should not grudge space to the names of nearly the last Indian remnant in eastern Virginia, a brave, proud and free people, powerful, but unable to breast the wave of white civilization.

The parties were arraigned before court and the nature of the charges against them explained and evidence heard, and the court decided that they must leave the county, and that their guns should be taken from them until they left, when they should be given back, and that they must give security for good behavior until their departure.

Several white gentlemen sympathising with them, went security on their bail bonds, and the poor fellows soon settled up their affairs and left the county. Tradition however says that one remained and long lived on the Gwin Mountains below Rapidan Station, subsisting by hunting and the charity of neighboring farmers. There curious mountains were formed by a singular uplift of the subjacent triassic sandstone strata, forcing up enormous columns of sandstone to a considerable height, some of which leaning towards others, make a passable shelter for an Indian.

The last white man killed by Indians on the Rapidan River, lived about six miles above Wolfstown; he endeavored to conceal himself in his wood pile, but was found, murdered, and scalped; this was in the very early days of the county. The compact settlement of the brave Germans on the upper waters of the Robinson and Rapidan Rivers, in 1717-18, discouraged Indian forays, and a fort at Ruckersville, south of the Germans, guarded that quarter. These Germans driven from their burning homes in the Palatine by the French camped for a while near London, and then sent over to Tappahannock, Virginia, were settled at Germanna, in Orange, by Gov. Spotswood, to work his iron mines: the English task masters were too harsh on them, and again they sought freedom by fleeing to the wilds of the upper Rapidan, entirely beyond all English settlement or succor in case of attack, for this however it seems they were well prepared, for we find that when their pastor "Stover" died in 1738, one of the items in his schedule of property was two barrels of gun powder.

Nor was danger from Indians visionary, for Augusta county, which adjoined on the west, has the record of several hundred of her citizens

killed and captured by her numerous and treacherous foes after its first settlement, many of them killed while Augusta was part of Orange county.

The Indians in upper or northern Piedmont Virginia were chiefly of the large Mannahoac tribe. The sub-tribes living in Orange were the Outponies and Stegaratsin, but the great Iriquois nation and the Susquehannocks made their raids through Virginia to attack their ancient foes, the Catawbias and Cherokees. Old Shawnee Indians in Kansas in 1857 claimed that their name meant "Southerner," and that their tribe was driven by the Cherokees and Catawbias from the Carolinas to Virginia and Pennsylvania,* whence they drifted westward; and these too made their annual raids through Virginia to punish their ancient antagonist and did much harm. These expeditions were feared by the whites, resulting often in murder and pillage, but were given up when the country became more thickly settled. Shawnee raids continued in West Virginia until years after the Revolution.

The last Indian outrage in the present bounds of Spotsylvania county known to us was at "Matts," about six miles above Fredericksburg. Indians burnt the stockade and buildings in 1703, and perhaps killed the occupants. They then destroyed the buildings on Colonel Carter's quarter, across the Rappahannock from Matts, in Stafford county. Matts was an old settlement. The patent for the tract was issued in 1673 at Jamestown by Governor Berkeley to Henri Bonjour. We have the original paper. Bonjour could not write his name, but could write the initials HB (H. B.), and subscribed his name Henri HB Bonjour. Some one else wrote Henri Bonjour and he wrote the HB instead of the cross mark. We have seen numerous instances of this mode of signature.

A LIST OF THE REPRESENTATIVES IN ASSEMBLY FOR THE SEVERAL COUNTIES OF VIRGINIA.

From the Virginia Gazette, February 27th, 1752, Number 61.

[Contributed by Prof. J. F. Jameson, of Brown University, R. I.]

Accomack—Edmund Allen, George Douglas.

Albermale—Joshua Fry, Allen Howard.

Amelia—Thomas Tabb, Wood Jones.

* The celebrated Cornstalk, whose powers as an orator were said to be unsurpassed by either Patrick Henry or Richard H. Lee, in a speech in Ohio enumerating the injuries done to the Shawnees, mentions their expulsion from their lands on the waters of the Shenandoah River. They were numerous there until 1754, when they left and went towards Pittsburg. In 1756 they raided various settlements in Montgomery. They were the chief actors in Braddock's and Grant's defeat. They were dangerous foes. Mr. Van Meter, of New York, gives an account of his accompanying the New York Delaware Indians in 1733 on their raid against the Catawbias. They passed up the south branch of the Potomac, and he afterwards settled his boys there.

Augusta—John Maddison, John Wilson.
Brunswick—Drury Stith, John Willis,
Caroline—Edmund Pendleton, Lansford Lomax.
Charles City—Benjamin Harrison, Richard Kennon.
Chesterfield—Richard Eppes, John Bolling.
Culpepper—John Spotswood, William Green.
Cumberland—George Carrington, Samuel Scott.
Elizabeth City—William Westwood, John Tabb.
Essex—Francis Smith, Thomas Waring.
Fairfax—Hugh West, Gerrard Alexander.
Frederick—George William Fairfax, Gabriel Jones.
Gloucester—Beverly Whiting, John Page.
Goochland—John Payne, John Smith.
Hanover—John Chriswell, John Symme.
Henrica—William Randolph, Bowler Cocke.
James City—Carter Burwell, Benjamin Waller.
Isle of Wight—Robert Burwell, Thomas Gate.
King George—Charles Carter, Thomas Turner.
King and Queen—John Robinson, Sp., Philip Johnson.
King William—John Martin, Bernard Moore.
Lancaster—Edwin Conway, Joseph Chinn.
Louisa—Abraham Venable, Thomas Walker.
Lunenburg—William Byrd, Clement Reade.
Middlesex—Ralph Wormeley, Christopher Robinson.
Nansamond—Lemuel Riddick, Anthony Holloday.
New Kent—Richard Adams, James Power.
Norfolk—Robert Tucker, Samuel Boush, Jun.
Northampton—Littleton Eyre, John Kendall.
Northumberland—Presley Thornton, Spencer Ball.
Orange—George Taylor, Benjamin Cave.
Prince George—Richard Bland, Stephen Dewey.
Princess Anne—Anthony Walker, Jun., Edward Hacke Moseley.
Prince William—Thomas Harrison, Joseph Blackwell.
Richmond—John Woodbridge, Landon Carter.
Southampton—Etheldred Taylor, Thomas Tarrett.
Spotsylvania—William Walker, Price Curtis.
Stafford—William Fitzhugh, Peter Hedgman.
Surrey—Robert Jones, Augustine Clairbone.
Warwick—William Harwood, William Digges.
Westmoreland—John Bushrode, Robert Vaulx.
York—John Morton, Dudley Digges.
James Town—Edward Travis.
Norfolk Borough—John Hutchings.
Williamsburg—Amistead Burwell.
William & Mary College—Attorney General.

ANTHONY MARTIN.

Editor of Virginia Magazine of History, etc.:

SIR—In the compilation of the Flournoy History now current in the Magazine, Anthony Martin has been several times mentioned as the acting executor of Samuel Flournoy, of Powhatan, who died 1780. By the kindness of Mr. Samuel S. Sublett, himself a lineal descendant of "John Soblet," the old Manakin Parish clerk, set out in "The Huguenot Emigration," the epitaph on the tombstone over Anthony Martin's grave is furnished as follows:

"Here lies the remains of Anthony Martin, Born the 26th day of Sept. 1737, and departed this life the 3d day of June, 1805, aged 67 years, 8 months and 7 days."

"Remember me as you pass by,
As you are now, so once was I.
As I am now you soon must be,
Prepare for death and follow me."

The decedent was buried on his farm yet known as Martin's Tract, near Sublett Post-office, and not far from old Manakin.

FLOURNOY RIVERS.

Pulaski, Tenn.

SCHOOLS IN COLONIAL PRINCESS ANNE COUNTY, VIRGINIA.

(Communicated by Edward W. James.)

At a Court held for Princess Anne county:

"Feb'y 7th, 170½."

"Whereas Mr. Otho Russell was this year appointed Constable for Eastern Shore who now being Removed to Little Creek to keep School so y't that office is Vacant. It is therefore Ord'd y't Mr. Joell Cornick Swear another in ye s'd Russell stead, whom he shall think fit for to Serve in y't Precinct."

At a Court held March 2d, 1712:

"Whereas Mr. Sam'l Shepard peticoned this Court for Liberty to Erect a Schoole house on ye Court house Land for Common Benefitt w'ch upon Consideracon of ye Advantage y't may arrive from ye Same it is ordered accordingly provided he Build ye Same as ffar as he Cann from ye Church & Court house."

March 3d, 1712:

"On the Peticon of Sam'l Sheppard it is ye Judgm't of this Court y't he have Liberty to keep School in ye Court house till a School house be Built."

"PRINCESS ANN—At a Court held the 6th of March Anno Dom. 1716:

"Present—Coll: Edward Moseley, Capt: Horatio Woodhouse, Capt: George Hancock, Mr. Thomas Walke, Mr. Anthony Walke, Mr. Wil'by Merchant, Justices."

"George Shurly petitioning for Liberty & Lycence for his Servant Peter Taylor to keep Schoole in the Courthouse & jury roome, & ye Court thinking ye same to be a reasonable & usuall practice doe order that he have Liberty as a foresaid, he takeing due care to keep ye benches &c. in such good order as they are at present in."

ARTHUR SMITH AND THOMAS SMITH, OF 1752.

Editor of Virginia Magazine of History, etc.:

- SIR—The *Virginia Magazine of History and Biography*, in its April Number (1895), in a note on page 391, discussing Arthur and Thomas Smith, of 1752, points out "a discrepancy" between my statement of this family in the paper on "The Old Brick Church," and that of its "recent informant," and requests a correct account.

As my contribution to this "correct account," I submit the following statement:

In 1891, when I wrote the paper alluded to, I examined attentively 6 *Hening*, page 308, which gives what I believe to be a perfectly accurate account of the family of Arthur Smith down to 1752; the records of the County Court of this county; the Acts of January 7th, 1800, January 6th, 1802, and January 4th, 1803; the case of Boykin's Devises *v.* Smith and others, 3 *Munf.*, page 102 (1811); the family trees of some branches of the family, and had long and frequent talks on this subject with Dr. John R. Purdie (now in his 86th year), N. P. Young (now in his 79th year, and for 54 years clerk of our courts), and others, who knew the late Colonel Arthur Smith well, and ought to be posted upon his family history.

It was the impression of these parties that the Thomas Smith of 1752 was the son of the Arthur Smith of that day, but they did not know how to reconcile their impressions with the record that I will presently mention.

I do not know how I wrote that the Arthur Smith of 1752 was the 3d Arthur, when 6 *Hening*, page 309, was in my hands, right before my eyes, and plainly showed that he was the 4th Arthur. I must have been nodding. It is such a plain, palpable inadvertence that I concluded it would explain what also must have been an inadvertence that bothered me in 1891, and has been bothering me ever since. I did not then see how it could be an inadvertence. I see it plainly enough now.

In 6th *Hening*, page 309, is the statement that the third Arthur Smith, "the grandson, became seized of all the said lands with the appurtenances, and died so seized, leaving issue Thomas Smith, his eldest son and heir, who entered into the same and hath laid off seventy-five acres or thereabouts," into lots for the town of Smithfield.

In this town of Smithfield there were afterwards built a Courthouse, a Jail, a Clerk's office, and there was a large vacant lot adjacent, in all about two acres.

In 1800, Francis Boykin proposed to build a Courthouse, Clerk's office and Jail, on his farm seven miles from Smithfield, and to exchange that property for the Courthouse property in Smithfield. The exchange was made. The Smiths then claimed that the Courthouse property in Smithfield reverted to them, as it was no longer used for public purposes.

Francis Boykin brought an action of ejectment in the District Court at Suffolk, and lost the case.

He died and devised the property in question to his son Francis M. Boykin and his daughter Annie, wife of James Johnson, member of Congress from 1813 to 1820, and collector of port of Norfolk afterwards by the appointment of President James Monroe.

They then brought the chancery suit of Boykin's Devises *v.* Smith and others (3 *Munf.*, 102), which passed on through the stages of an original bill and an amended bill, which was elaborately argued in the lower courts, and in the Court of Appeals, by Wirt for the appellants, and Wickham for the appellees.

In the amended bill in this case the statement is made that "one Arthur Smith, uncle of the said *Thomas*" (italics in the case to draw attention to it) "was, at or about the year 1754," seized, &c., of the land in Smithfield, &c.

Now it is this statement in this amended bill that has always bothered me. It is not only there, but it is italicised. It was made in 1810, not very long after Thomas Smith had died. He appeared in open court in Smithfield in 1798, and verbally, at least, released his claim to this identical property in litigation. The ejectment suit must have been brought soon afterwards. The chancery suit must have been brought as early as 1807. His children Jane, Elizabeth, Frances, Lelia, their husbands, and Arthur Smith were parties to it, and a statement carefully made under these circumstances I did not think I could lightly throw away. On the faith of this grave statement, so seriously, so pointedly made, I followed the record and saw that Thomas Smith was the nephew of Arthur Smith. But I have never thoroughly believed he was. There was an irreconcilable conflict between 6 *Hening* and 3 *Munf.*, and it has always annoyed me. So when I saw in the note in the Magazine that I wrote that Arthur Smith of 1752 was the "third Arthur," with 6 *Hening* in my hand, which showed he was the 4th Arthur, I concluded that the man who

drew the amended bill alluded to and said that Arthur Smith *was the uncle of Thomas Smith*, meant to say, and thought he did say he was the *father* of Thomas Smith. I therefore went out to the Courthouse to-day to make special examination into this matter, and into this matter alone, and took with me 6 *Hening*, 3 *Munford*, the *Magazine of History*, &c., the paper on The Old Brick Church, &c., to see if I could not settle this question now and forever. I found, as before, more Arthur Smiths, Elizabeth Smiths and Thomas Smiths than you could shake a stick at—enough to run any man crazy—but I clung to the Smithfield lot as a guide through them all.

I found that the last deed of Smith and Elizabeth, his wife, for a lot in Smithfield, was to Joseph Bridger, January 3d, 1754, and that the first deed of Thomas Smith for a lot in Smithfield was to William Robertson, October 26th, 1763, and that the first deed of Thomas Smith and wife, Elizabeth, for a lot in Smithfield, was to William Hodsden, January 7th, 1769.

In the deed of Thomas Smith to Samuel Wentworth, drawn with unusual care and skill, I found an explicit reference to the act in 6th *Hening*, and the statement that "Arthur Smith departed this life; after whose decease the said lots or half acres descended to the aforesaid Thomas Smith, heir at law to the aforesaid Arthur Smith."

I looked to the wills, but I could not find any will of this Arthur, or of this Elizabeth, his wife.

I looked to the orders of the Court, to the appraisements of the property, and to the accounts and settlements of the personal representatives of estate, and found that on the 2d of January, 1755, an order for the appraisement of the property of Captain Arthur Smith, in Surry, and in Isle of Wight: that the appraisement in Surry was made on the 24th day of January, 1755; that the appraisement was made in this county on the 5th of February, 1755; that they were returned to our court on the 6th of February, 1755, and that Mrs. Elizabeth Smith was the administratrix of this Arthur Smith.

This Mrs. Elizabeth Smith died prior to the 4th day of April, 1755, for I find an account rendered by Thomas Smith on that day, the first item of which is, "To the funeral charges of Arthur Smith and Elizabeth Smith his wife £10.00." And the next item is "To Doctor Willis account for *tendance* of Arthur Smith and Elizabeth Smith and their son Thomas."

I infer from these facts that Arthur Smith died in December 1754, and his wife in March 1755.

As there was another Arthur Smith, who died about this time, and left a wife Elizabeth, who was his administratrix, I am inclined to the belief that it was this Arthur Smith who is said to have committed suicide by shooting himself through the head with a pistol in each hand, whose skull was found in 1797, when they were digging the grave for

Jerry Pedue, at the Old Brick Church, and identified by the bullet holes over each ear. Thomas Smith would not have buried his father and his mother elsewhere than in the old burial ground in the old Smith plantation, and if he did so he would have hardly have left it unmarked by some slab, or monument. If he had omitted to do this in 1754, it is not probable that he and his children would have been guilty of another neglect in 1797.

The will of this Thomas Smith, the son of Arthur Smith, who appeared in open court in Smithfield, in 1798, is dated April 17th, 1799, and is admitted to probate the 2d of September, 1799.

In it he speaks of "being sick and weak of body," and mentions his wife, Elizabeth, and his five daughters, Elizabeth Johnson (wife of James Johnson, who is his executor), Sarah, Fanny, Jenny, Lelias (also spelt in the same will Lellias), and his son Arthur. Special provision is made for the education of Arthur, "who is to study the art of surgery and physics," and "have a smattering of French when he has obtained a sufficiency in the Latin language."

I learn from the family tree, loaned to me by Miss Irene Hayden in 1891, and again to-day, that this Thomas Smith married Elizabeth Waddrop, daughter of John Waddrop and of Nancy Hunt Cocke, of Surry, and that their children were:

1. Nancy.
2. Sally.
3. Jane, married Augustus Olivier, and lived in Gloucester.
4. Elizabeth, married James Johnson, son of Dr. Robert Johnson, and had a daughter, Eliza Waddrop Johnson, who married Lieutenant William H. Cocke, U. S. Navy, "who was killed on board the U. S. Schooner Fox, under his command, whilst entering the harbor of St. John's, Porto Rico, by a cannon ball fired from the Moro, on the 6th day of March, 1825, in the 32d year of his age." "Pursuant to an order from the Secretary of the Navy, his remains were disinterred and brought to this country on the U. S. Schooner Porpoise, which arrived in Portsmouth, Virginia, on the 25th day of July, 1832." They had a daughter Louisiana, who married C. B. Hayden, of Smithfield, and she left two daughters, Irene and Louisiana.
5. Frances, who married Robert West.
6. Lelia, who married J. B. Whitehead (for thirty years the sheriff of the county), and had a son Algernon Arthur, who married Elvira Goodwin, and had a son A. R. Whitehead, and a daughter Lelia, the wife of I. C. Goodrich.
7. Arthur Smith,—who was to study medicine but did not—who studied law, and became one of the most eminent men this county has ever produced. He was a man of charming simplicity of character, and sacrificed his political career to his conscience. He overwhelmed me as a boy with his wonderful learning the first time I ever saw him, and

repeated several verses of poetry that I have been hunting for ever since. If the male line of Arthur Smith had to become extinct it was well to close with this Arthur—the most eminent of them all.

Mr. A. R. Whitehead has the seal of the Arthur Smith family. It is handsomely set in gold, and was worn as an ornament to a watch fob or chain. I enclose you an impression of it. He has also another curious document—the oldest original muniment of title that I have ever seen. It is a patent from Sir William Berkeley, given March 21st, 1643, in renewal of one given by Sir John Harvey in 1637. It reads as follows:

“To all to whom these presents shall come. I Sr. John Harvey Knt. Governor &c. Send &c. Whereas &c. Now Know ye, that I the said Sr. John Harvey, Knt., do with the consent of the Council of state, accordingly give and grant unto Arthur Smith One Thousand fower hundred and fiftie Acres of Land, situate, lying and being in the Countie of Isle of Wight, being a Neck of land running South East along a Creek behind the Pagan shore and North West into the woods. The said One Thousand fower hundred and fiftie Acres of Land being due unto him the said Arthur Smith by and for the transportation at his own proper Cost and Charges of nine and twenty persons into this Colony, whose names are in the Record mentioned under this patent. To have and to hold &c. Dated the 10th of September 1637, *ut in alis*.

“This patent is renewed by Sir William Berkeley the 21st March, 1643, In the name of Arthur Smith and fiftie Acres added to it.

—— (Can't read it),

SAM'L ABBOTT, CL.

Copy —— (can't read it),

J. FRANNRID,
p R. HICKMAN, C. G. C.

As I have mentioned two James Johnsons above, the one who married Elizabeth Smith, and the one who married Anne Boykin, I will mention the third, Captain James Johnson of the Revolution, so that they may not be confounded. He was a member of the House of Delegates, of the Convention of 1788, a Justice of the Peace for many years, sat on the old bench of magistrates as late as 1843; died August 16th, 1845, the last survivor of the Convention of 1788.

Permit me to add my thanks to Mr. McAlister for his contribution “to the formation of counties,” and to refer him to page 218 of the October Number of this Magazine, where I said the July list was copied from “an old almanac.”

R. S. THOMAS.

Smithfield, Va., April 9th, 1895.

JUDGE FRENCH'S ANNALS OF PROMINENT VIRGINIANS OF THE
19TH CENTURY.

Judge S. Bassett French, of Manchester, Va., has in preparation a work which will be of great value to all who are interested in the political and family history of Virginia. Its title is "Annals of Prominent Virginians of the 19th Century." It embraces in its scope natives of the State who were alive in this century and prominent in their respective callings in the communities in which they lived. In size the book will be a large octavo about 500-550 pages, having several thousand names. It will be published by subscription at \$6.00 per copy, paid on delivery at post-office or express station, postage to be added. Among those who have warmly commended the work from specimens of biographies examined are Hon. Holmes Conrad, Genl. Wm. H. Payne, Hon. E. C. Venable, Rev. Horace E. Hayden, Hugh R. Garden, Hon. Taylor Berry, Prof. Wm. C. Stubbs.

LETTER OF EDMUND JENINGS.

1213 WALNUT ST., PHILA., *April 28th, 1894.*

Editor of the Virginia Magazine of History, &c.:

SIR—I send you a letter of Edmund Jennings, the son of the one who was acting Governor of Virginia in 1706-10. You will find in the correspondence of R. H. Lee an account of an attempt to raise a subscription at £5 a head to pay for a portrait of Lord Chatham. For some reason this project failed, but the portrait was afterwards presented to the State by this Edmund Jennings, and the fact is mentioned in this letter.

Yours very truly,

EDMUND J. LEE.

DEAR SIR:

I Hope that Ipswich affords you and my good child all possible Happiness and to that end has fully restored you to that Health, which the corrupted air of this Vile Town had deprived you of. Is your Household quite settled, your garden in order, and your cellars stored with good ale; if you have not provided a Plenty of this last you are not fit to live in the country, where I wish to be, but can't get well settled unless you prevail upon Mr. Knight & Mr. Hansel or Hassel, both living in your City, to sell a Farm in Mortlesham of about £50 per ann. which they offer to let next Oct. Suppose now for your Healths sake you Rode there one morning, I should think it might be of some service to you and a great one to me, the roomes are now in the occupation of James Cox. Look about there & pray let me have your opinion of

their Scituation & Condition—direct for me at Wills Coffee House, near Lincolns Inn, London. I set out To-morrow for Wales with my two little Indian or American Boys and purpose after skipping through the Country like its natives the Goats, to cross the Bristol Channel into Somersetshire, & thence to Lester & thereabouts, & on my return which will be in about Fortnight or three weeks, shall not fail to give you the result of my observations as to the means & manner of living in those countries. Ships have arrived from Virginia, which sailed a day or two after the Assembly met but bring no account of their proceedings—other ships are expected daily. L'd Chatham's Picture has gotten safe to your Brother & a description of it given in the Virginia Paper—but it is an erroneous one—it is said to be done by subscription. I Hope your Brother will Contradict that—for as I have an Affection for my native Country and its cause of Liberty, I ought not to be ashamed it should be Known. Townsend is an Alderman. He and Sawbridge are Sherifs. The County of Surry have agreed to a stinging address. The King is at Richmond, the Duke of Grafton is I dont Know where. The Parliament is prorogued and I am my good child's & your most
Sincerely Obt. Sevt.

EDM: JENINGS.

London, July 28th, 1769.

SOME WASHINGTON MEMORANDA.

Mr. Lawrence Washington, of Alexandria, Va., is in possession of a memorandum book kept by Washington partly in 1756–57, while in command at Fort Winchester, and partly at a later date. Besides a number of memoranda, covering thirty-three pages, there is a list of the artificers employed on the works around Winchester, and a portion of the drafts from Bedford, Culpeper, Fairfax, King George, Prince William and Stafford counties.

In 1757, Washington wrote in this book a number of memoranda—for example:

“June 7th, 1757.

“Before Maj. Lewis goes to his post in Augusta—Peruse carefully the contents of Capt. Hog's letters; and direct him how to act in the affair.” * * * * “Answer Capt. Hog's letters fully by the Officer who relieves him.” * * *

“8th June, 1757.

“Get the prices of all the soldiers cloaks from Col. Carlyle, with a reasonable advance: and give it to each Captain with orders to examine his Companies * * * Roll once a week (every Saturday) with't fail and to make stopages for every thing difficient, besides punishing the soldiers for neglect of duty; this to be done before they are paid.”

"Order also that each Sergeant of a Comp'y have a distinct squad to take care of, & to see that they always have their cloaks & accoutrements in good order" * * * "Write the Governor" * * *

"also know how far in what points I am to pay obedience to the orders of Col. Stanwix, & if it should so happen that I receive orders from himself and Col. Stanwix differing (which is not unlikely) whose orders I am to obey?"

"Memd. of the Dates of the Officers' Commissions which I have given out.

" Lieut. Dangerfield	25th May.
" Fleming	25th "
" Thompson	24th July.
" Smith	25th "
" Weedon	26th "
" Crawford	27th "
Ensign Speake	10th July.
" Fell	11th "
" Woodford	13th "
" Starke	25th "

Washington writes a minute description of his wagon horses and the "marks & brands" on each; and at a later time than 1757 (as it is evident from the hand writing), "Some Drafts from Prince William" and other counties.

A ROLL OF THE ARTIFICERS EMPLOYED ON THE WORKS AROUND WINCHESTER, UNDER THE COMMAND OF CAPTAIN WILLIAM PEACHY.

Angus McDonald.	Joseph Handcock.
John Mathew.	William Bedient.
John Grinnon.	George Seaton.
William Deane.	Joseph Williams.
James Littlepage.	Thomas Soripes.
Edward Evans.	William Strain.
Samuel French.	James Williams.
John Pope.	Edward Gill.
Samuel Kriplin.	Gabriel Nevil.
Benjamin Barrot.	John Organ.
Joseph Dillard.	William Brumbly.
John Hedgman.	Daniel Bivens.
Bucan Murray.	Christopher Sculley.
Joseph Price.	John Juggans.
William Colson.	Edward Manner.
Joseph Morris.	John Coine.
Moses Campbell.	Thomas Coomes.

John Edwards.
Henry Nevil.
Mathew Fling.
Francis Famour.
Joseph Perry.
John Morgan.
Samuel Carvin.
John Clatterbuck.
Nathan Stephen.
Benjamin Stark.
Andrew Ross.
Joseph Williams.
John Missick.
John Doolan.
Druay Pucket.
Ally Hinton.
Robert Hinton.
John Shelton.
Robert Berryman.
John Evans.
Thomas Gregory.
William Burton.
John Callyhan.
John Loyde.
Roger Whitesides.
William Dickerson.
Miller Dogget.
Samuel Sheerwin.
Cuthbert Hudson.
Samuel Burton, Jun.
Grief Nunnery.
Robert Woodlippe.
James Rice.
James Ratecliffe.
Richard Rogers.
John Winfree.
Humphry Rogers.
David Winfree.
Hezekiah Davis.
—— Cornell.
Henry Lewis.
Samuel Coale.
William Braziel.
William Scott.
John Patrick.

Samuel Thomas.
John Heaton.
John Salmon.
John Adams.
James Steinewell.
Archibald Lockard.
John Jones.
Mathew Nealy.
John Gale.
Andrew Rennis.
William Pope.
John Cocke.
John Strong.
James Lassley.
James Vaughan.
John Glenn.
Benjamin Moseley.
John Moxey.
John Lear.
Simon Robinson.
Philip Edwards.
James Johnston.
Mathew Hutchison.
Robert Nash.
George Mitchell.
Francis Roberts.
Joseph Bradberry.
John Craddick.
Oliver Wallice.
Henry Gray.
Thomas Hartley.
John Norris.
Edward Walden.
Joseph Childers.
Benjamin Oakley.
James Thomas.
Lauder Hughes.
William Snead.
Aaron Bridgewater.
David McJennet.
William Harrop.
John Robinson.
Samuel Burton.
William Dodson.
Ambrose Long.

John Saunders.
Daniel Prucket.
Christopher Prucket.
Jethro Woodward.
Joseph Norris.

Jacob Burton.
John Heath.
Sam'l Burton, Sen.
Ignatius Edwards.

THE WILL OF TOBIAS BUTLER.

(Contributed by A. C. Quisenberry.)

In the name of God, amen: I Tobias Butler, being very sick and weak of body, but thanks be to God, of perfect memory, doe make my last will and testament as followeth:

Imprimis, I bequeath my soul to God and my body to the Earth from whence it came; and as for my worldly Estate, it is my will that it shall be brought to an appraisement, and what it amounts unto to be equally divided between my wife and two children (one is not yet in being) according to appraisement, and if either of my children dies, then its part to the Survivor; furthermore, it is my will that as soon as I am departed an inventory of what moveables I have to be taken, because my children may not be defrauded of what is theirs; and my two children, if they soe long live, to be free at 18 years of age, and to have their whole estate at 20 years of age; and if my wife should die I leave my son James Butler unto my loving friend John Quessenbury and his wife; and if my wife should marry and my children should be abused then my loving Friend to take them into his custody and raise them.

It is further my will that my cattle shall be pres'd September next ensuing the date, and if this be a Girl then my son to have two shares, and to give unto his sister at 16 years of age, or marriage, three young heifers; and of this my last will and testament I leave my beloved wife and my beloved friend John Quessenbury my Executors to see this my last will and testament performed; as witness my hand and seale this 17th day of February, 1684.

TOBIAS BUTLER. [Seale.]

Signed, sealed and delivered in the presence of John Sanford and Philip Welch.

(Query: What relationship, if any, was borne by Tobias Butler to Jane Butler, the first wife of Augustine Washington?)

HENRY BARBWELL TO JOHN VAUGHN, DEED OF ACQUITTANCE.

Know all men by these presents y't I, Henry Barbwell, factor for John Pope of Bristoll, march't, doe acquit and discharge John Vaughn from all bills, bonds, engagements or accounts which were left by Owen Jones,

factor for John Pope, being lately deceased in John Vaughn's house, to whom, before his death he left all his wrighting and business of ye said John Pope; and by virtue of my power received from John Pope, I doe discharge him of all wrighting left by Owen Jones in John Vaughn's house, or elsewhere; in witness whereof I have hereunto set my hand this 5th of December, 1660. Likewise, I doe acquit John Vaughn of all goods and liquors which came from Monados since his decease. In witness whereof I doe hereunto sett my hand and seale ye day and year above written.

HENRY BARBWELL. [Seale.]

Teste: Daniell Lisseon, John Quessenbury.

AN EARLY RICHMOND WATER PROJECT.

The following letter contributed by Mr. Geo. D. Todd, of Louisville, Kentucky, was written by Mr. S. G. Adams, a citizen of Richmond early in the present century. Many of his descendants still reside in Richmond:

RICHMOND, VA., *July 15th, 1809.*

MY DEAR SIR:

Your two favors of May 3d & 20th have been received & ought before this to have been answered, but really my Mind & Body have been so much engaged in my Water Project that I have neglected attending to those I love best. This you'll say is a poor apology; it is however the truth & that must recommend it.

I rejoice to hear Kentucky has suffered so little by the Embargo. We have not yet, nor shall we for seven years get over its dreadful effects; business is now extremely dull, Tobacco will scarcely sell at all, Flour low, Hemp £54 a Ton & all these articles dull.

You wish to know how I progress in distributing water. I have eleven Springs pretty convenient to my Reservoir, none of them very large but all constant and good water, Reservoir 40x30, 12 ft. deep, now just finishing. I have bought in 9 springs & supplied 25 families at \$12 a Year, one Tavern at \$65, one at \$32.50 & a Tan yard at I expect \$65, & every 20 or 30 feet I now travel I supply a family. There are 500 families in my level & if my water is sufficient I have no doubt 400 of them would take it. I doubt much though, my having enough, for great waste must be counted on, a considerable supply could be obtained by going one or one and a half Mile & this shall be done if I want it; it is very laborious & expensive. You have Frankfort supplied, I am told, how does it succeed.

I have one other project on hand, a Garden of 5 acres for Market. I have a fine situation adjoining the Lotts I am to live on, am now hauling manure, am in want of a good white gardener & seed of various

sorts; to the latter perhaps I mean as to anything uncommon, you can assist me. Judge Fleming would take charge of them. I want much your knowledge in the business. I suspect you'll think this a wild project, for that I never was calculated for a gardener; this my friends say & perhaps this has been one inducement to my undertaking it.

I received of Genl. Wilkinson £110, or 114 £, I know not which at this moment; he behaved if my information is correct in the most scandalous manner about the Bal., took his Bond & refused to deliver it untill he was threatened with an Indictment. I have it & wou'd take pleasure in suing & exposing him for his conduct, which was villanous, if my Agent told the truth. * * *

Yrs. truly,

SAM'L G. ADAMS.

P. S.—This was intended to go by Charles Todd, but he left us sooner than he expected. Mr. Brough of Norfolk accompanies Charles from Staunton & has promised to take charge of it. I beg leave to introduce him to your acquaintance as a Gentlemanly Respectable Man, who has business in your State.

The Honbl. Judge Innes, Frankfort, Kentucky.

QUERIES.

BANKS FAMILY.

In the *Spotswood Papers* I learn that there was a copy of a charter from the "Crown of Great Britain to Sir John Banks, giving him a monopoly of the trade between Great Britain, America and Africa, in slaves, woods, ivory, &c.," sometime, I think, in the sixteen hundreds. I am anxious to learn through this medium whether any one can give me the names of any descendants, or anything of the family history of this same Sir John Banks. If so, they will confer a great favor by communicating with

MRS. EMMA BANKS RICHARDS,
Knoxville, Tenn.

THOMAS WHITING.

LOUISVILLE, *July 9th, 1895.*

Editor of Virginia Magazine of History, etc.:

SIR—Colonel Thomas Whiting, of Gloucester county, Virginia, married Elizabeth Thruston, born 1740, died 1766. My grandfather, Colonel John Thruston, the eldest son of Rev. George Mynn Thruston,

married his first cousin, Elizabeth Thruston Whiting. I am anxious to ascertain positively whether my maternal great grandfather, Thomas Whiting, was the person referred to as one of the Commissioners of Admiralty appointed under the Constitution of Virginia, 1776 (*History and Antiquity of Virginia*, page 114). I am equally desirous of knowing the kinship of my ancestor to Beverley Whiting.

JOHN THRUSTON, M. D.,
1213 2d Street.

DESCENDANTS OF ROBERT BLAND.

Robert Bland was born March 9th, 1732, in Stafford or Prince William county, Virginia. His father was Robert, and his mother Jane ——. He had brothers William and Edward, and possibly others. He made deed to lands in Loudoun county, Virginia, in 1778. Between 1778 and 1782 he emigrated to South Carolina with some of his children, viz: Jane, Mary or Polly, Wormeley and Presley.

It is presumed he left married children in Virginia, as a grandson came out to South Carolina to visit relatives, and married there. Robert Bland's wife was Nancy ——. Some of the descendants say her maiden name was Peyton, others Wormeley. She was not living in 1778, as her name is not signed to deeds made in that year.

Information is greatly desired of Robert Bland, his ancestry, and of his children and relatives who remained in Virginia.

Address

MRS. J. MORGAN SMITH,
Box 225, Birmingham, Ala.

MCGEHEES, &C.

I am engaged in the compilation of the genealogies of the following Virginia families, and will be glad to have any information I can get in this connection: Hawes, Kennon, McClung, McGehee, Anderson, Foster, Morgan, White, Garrett, Bassett and Johnson.

Address

CHARLES C. MCGEHEE,
No. 679 Peachtree Street, Atlanta, Ga.

ANSWERS TO (JULY) QUERIES.

SMITH FAMILY (July, 1895, page 96)—Various deeds, &c., show that Colonel Lawrence Smith, of Gloucester, had a son, Charles, who settled in Essex, and in 1710 was appointed surveyor of that county. There is

recorded in Spotsylvania a deed from Robert Smith, of Caroline county, conveying land formerly the property of Colonel Lawrence Smith.

BLAND-FITZHUGH (July, 1895, page 97)—The register of St. Paul's Parish, King George, cited in the *Richmond Standard*, states that Theoderick Bland and Sarah Fitzhugh were married in 1772. A suit in Essex court in 1740 shows that Theoderick Bland (probably the elder) married Frances, daughter of Drury Bolling and his wife Elizabeth, daughter of Francis Merriwether.

LOYAL COMPANY.

In an article entitled "Incidents of Border Life in Virginia," in the *Richmond Standard* of June 19th, 1880, in speaking of Colonel Preston's work in the surveyor's office about 1792, it says:

"Previous to this period there was a company formed called 'The Loyal Company,' for the purpose of entering lands in the western counties of Virginia. Dr. Thomas Walker, of Albemarle, Judge Edmund Pendleton, and one or two others formed the company."

There also follows a foot note which states: "'The Loyal Company,' probably under the purchase of Colonel Richard Henderson from the Cherokees in 1774."

ANN RANDOLPH BALL.

Casanova, Va.

DEACON NECK WAREHOUSE.

Major Francis Morrison writes from London to Secretary Ludwell in 1677, and asks him "so to stir up my nephew, Charles Morryson, as that he punctually send a hogshead of Old Deacon's crop of faller's neck, by Pride Morrice, in one of the James River ships."

Colonel Charles Morrison [*Virginia Historical Magazine*, Vol. II, No. 4, page 384] lived in Elizabeth City county 1680, and perhaps Old Deacon or Deacon's Neck Warehouse was in that county.

K. M. R.

GENEALOGY.

FLOURNOY GENEALOGY—Owing to the sickness of Mr. Flournoy Rivers, the compiler of the Flournoy Genealogy, which has been running in our pages, the concluding instalment of the genealogy is delayed, and will not appear until the January number of the Magazine.

THE CARR FAMILY.

CONTRIBUTED BY G. C. BROADHEAD, OF COLUMBIA, MO.

The following notes have been carefully collected and may be relied on as correct. They chiefly relate to the family and descendants of Garland Carr, who was the son of John Carr, of Bear Castle, and include his descendants down to A. D. 1895.

I have in my possession *Doddridge's Family Expositor*, 6 quarto volumes, London 1756. The volumes appear to have been owned first by John Carr, of Bear Castle, Louisa County, Va., then owned by his son Garland Carr, who sometime between 1810 and 1818, gave them to his daughter Mary Winston Carr (afterwards Mary W. Broadhead, my mother). They remained in her possession until 1836, A. D., when moving to Missouri the books were left in the possession of her brother, Colonel James O. Carr, of Albemarle County, Va. They remained in the possession of his family until July 1894, when R. Henry Carr, son of Colonel J. O. Carr, sent them to the writer, remembering that they had once belonged to my mother. They are particularly valuable in that there is a Register of Births, &c., written on a "Fly leaf" of a volume, and in the handwriting of John Carr, of Bear Castle, as shown by the wording as follows:

"John Carr, son of Thomas and Mary Carr, born 25th December, 1706.

"Thomas Carr, son of John and Mary Carr, born 25th November, 1735.

"Mary Carr, wife to John Carr, departed this life 10th March, 1736-7.

"Barbara Overton, daughter to James and Elizabeth Overton, born 20th April, 1720.

"John Carr, married to Barbara Overton, 27th December, 1737.

"My father (John Carr's father) Thomas Carr, departed this life 29th May, 1738, aged 59 years.

"John Carr, son to John and Barbara Carr, born 1738, died 3d November, 1747.

"My mother-in-law Elizabeth Overton, departed this life 19th November, 1739.

"James Carr, son to John and Barbara Carr, born 20th August, 1740, and died 6th September, following.

"James Carr, son of John and Barbara Carr, born 15th November, 1741, departed this life 10th of October, 1747.

"Dabney Carr, son of John and Barbara Carr, born 26th October, 1743.

"Samuel Carr, son of John and Barbara Carr, born 6th of January, 1745-6.

"Thomas Overton departed this life 29th September, 1745.

"Elizabeth Carr, daughter to John and Barbara Carr, born 28th December, 1747.

"My mother, Mary Carr, departed this life 7th of September, 1748, aged 60.

"Captain James Overton departed this life 18th June, 1749.

"John Carr, son of John and Barbara Carr, born 11th August, 1750, departed this life 5th April, 1753.

"Garland Carr, son of John and Barbara Carr, born 15th of July, 1754.

"Mary Carr, daughter to John and Barbara Carr, born 14th September, 1756.

"Sarah Carr, daughter to John and Barbara Carr, born 25th September, 1758, and departed this life 12th of May, following."

The following is continued in a different handwriting:

"John Carr, son of Thomas and Mary Carr, departed this life 17th day of June, 1778, aged 72 years.

"Dabney Carr, son of John and Barbara Carr, died 16th of May, 1773, aged 30 years.

"Samuel Carr, son of John and Barbara Carr, departed this life 16th day of May, 1777, aged 32 years.

"Barbara Carr, wife to John Carr, departed this life December, 1794, in the 74th year of her age."

Henry Carr, of Virginia, informs me that the first wife of John Carr, of Bear Castle, was Mary Dabney; his second wife, Barbara Overton, also stated by John Carr. Samuel Carr, son of John Carr, was a captain in the Continental Navy.

THE DESCENDANTS OF GARLAND CARR.

Garland Carr, son of John Carr, of Bear Castle, Louisa county, Virginia, was born at Bear Castle 10th of July, 1754, and died at Gale Hill, Albemarle county, Virginia, October, 1837. He was married to Mary Winston in 1783. Their children were:

Dr. Frank Carr, born 4th February, 1784. Daniel Ferrill Carr, born 10th December, 1786. Barbara Ann Carr, born 14th February, 1789. Elizabeth Carr, born 21st August, 1791. James Overton Carr, born 6th

October, 1793. Mary Winston Carr, born at Bentwar, 28th April, 1796. Dr. Frank Carr, was born at Bear Castle, the other children of Garland Carr were born in Albemarle county.

Dr. Frank Carr's first wife was Virginia Ferrill. They had one son Peter, who married Lydia Laura Lewis. Peter Carr was a sound lawyer, a gentlemen of culture and of influence. He was a member of State Senate of Missouri, and died in Pike county Missouri, in 1859. His wife possessed a rare poetic gift, and was the author of many beautiful poems. She died in the South about 1864.

Dr. Frank Carr's 2d wife was Miss Maria Morris, and they had one child, Francis Edward Garland Carr. F. E. G. Carr married Sally Watson Carr, daughter of Colonel Samuel Carr, and had one child, George Watson Carr, now living in Texas.

Dr. Frank Carr died about the year 1843. F. E. G. Carr, died in Charlottesville, Va., in 1893.

THE FAMILY OF DANIEL FERRILL CARR.

Daniel F. Carr married Emily Terrill. Their children were William Garland Carr, Clarissa Carr, Patsy W. Carr, and Dolly T. Carr. The latter and Clarissa were never married, but were popular and sensible ladies.

William Garland Carr married Charlotte Duke, and their children were James, Ferrill, Nannie, Charlotte, Lucy, Emily and Patty. William G. Carr has been dead over 10 years. His widow Mrs. Charlotte Carr resides with her son Daniel Ferrill Carr, near Sooba, Kemper county, Mississippi, as also does Emily. Charlotte Carr married Dr. J. Cochran of Fauquier county, Va. They have a son in the army and a daughter Charlotte married to Mr. Cochran (not related to Dr. Cochran) and two smaller children. Lucy Carr married Mr. Stuart who lived only a few years. Mrs. Lucy Stuart until within the past month was teacher in the Young Ladies College at Roanoke, Va. She was taken ill with pneumonia and died within a week, February, 1895, leaving two interesting daughters just grown, Eleanor and Mary. They now reside with their relatives in Mississippi. The other children of William Garland Carr are all dead.

Patsy Carr, daughter of Daniel F. Carr, married George W. Clive, a Scotchman and an able school teacher. They resided in Cincinnati, Ohio, for a number of years, and died in Texas within the past twenty-five years, leaving a son George and two daughters, Kate who married Mr. Murry, and Mary Waters who married Dr. Allison. Dr. Allison has now been dead a number of years, and Mrs. Mary Waters Allison resides with her two sons and two daughters at Midland, Texas, one of her sons being sheriff of the county.

BARBARA ANN CARR, daughter of Garland Carr, married her first cousin, Jonathan Boucher Carr, a son of Overton Carr. Their children

were Chloe Lee, born in 1813; William Kimbrough, born in 1811; Mary Ann, born in 1815; Garland Overton, born 1817; Dabney Terrill, born in 1819; Ellen, born 1821; Frank, born 1823; Maria Elizabeth, born 1825; James Ferrill, born 1828, died about 1841.

William Kimbrough in early life was in business in Columbus, Ohio. He died in Philadelphia, leaving one son and two daughters. Chloe Lee Carr married three times, and died in California. One of her husbands was a grandson of Daniel Boone, and died in a quicksand. Mary Ann married Hugh Minor, of Albemarle county, Virginia, and raised five sons and three daughters. Her daughter Patty Minor, married Thomas W. Gilmer. George married a daughter of Lawrence Carr, of Kanawha, the older son of Colonel Samuel Carr. Garland O. Carr, son of J. Boucher Carr, died on the plains *en route* to Mexican war. Dabney Terrill Carr married Eliza English, of New York, and they reside at Bay City, Michigan, with their two daughters Nelly and Mary, who both married Fitzhugh brothers, of Virginia. Ellen Carr, daughter of J. Boucher Carr, married Dr. Benjamin Todd, who was killed by bush-whackers in 1862, in Lincoln county, Missouri. Mrs. Ellen Todd died a few years ago in California. She had three sons and three daughters. The oldest, Dr. Overton Todd, is married, and resides at Batchtown, Calhoun county, Illinois. Birdie Winston Todd and her sister, Mrs. Laura T. Collins, reside at Corsicana, Texas. Mollie Todd, daughter of Ellen B. Todd, married William O. Todd, and they reside in California. Price Todd resides in Texas.

Dr. Frank Carr, son of J. B. Carr, married Ella Chandler, who died in 1894, at Nevada, Missouri, her husband having died some years before. They had two sons and one daughter, Nannie, who married Dr. Leon Ridgeway, and they now live in Kansas City, Missouri. Frank Carr, son of Dr. Frank Carr, is married, and lives in Nevada, Missouri, where he is cashier of a bank.

Maria E. Carr, daughter of Jonathan B. Carr, married Dr. James Douglass, and they now reside at Batchtown, Calhoun county, Illinois. They have two children, Benjamin, born in 1860, who has been married, but his wife is now dead, leaving a son named Gordon. Benjamin Douglass now lives in the State of Nevada. Dr. and Mrs. Douglass also have a daughter, Maria Lee, married to Dr. Adams, of St. Louis. They have a daughter, Helen Douglass.

Mrs. Ellen Todd and Mrs. Mary Ann Minor, daughters of Jonathan B. Carr, had the most beautiful voices for singing, and Mrs. Minor could easily fill a room so that the vibrations of the air could be readily felt.

Jonathan Boucher Carr was a very diffident man; he was educated for the law, and said to be well versed in law, but too diffident to appear in court. He died in Lincoln county, Missouri, about 1859.

Elizabeth Carr, daughter of Garland Carr, married the Rev. John Paxton, of New Jersey, and has been dead many years.

JAMES O. CARR, son of Garland Carr, married Mary Clark. Colonel J. O. Carr died in Albemarle county, Virginia, in 1862, aged 69 years. His wife died many years before. He had six children, of whom three are now living in Amherst county, Virginia, viz: Richard Henry, born in 1823; Hetty, born in 1825, and Jane Margaret, born in 1832. Colonel J. O. Carr's other children were Virginia, who died in 1893, aged 74, and Elizabeth and Ann, who died some years before.

THE FAMILY OF ACHILLES BROADHEAD.

Mary Winston Carr, youngest daughter of Garland Carr, was married to Achilles Broadhead, November, 1817. Their children were James Overton Broadhead, born May 29th, 1819, in Albemarle county, Va. Mary Ann Broadhead, born July 28, 1821, in Albemarle county, Va. Garland Carr Broadhead, born October 30th, 1827, in Albemarle county, Va. Elizabeth Maria Broadhead, born August 25th, 1829, in Albemarle county, Va. William Ferrill Broadhead, born November 23d, 1836, in St. Charles county, Mo. Achilles Broadhead moved to St. Charles county, Mo., in 1836, and died there October 4th, 1853, aged 64. He was born in Albemarle county, Va., and held offices of trust as surveyor and magistrate in both Virginia and Missouri.

Mary Winston Broadhead died in St. Charles county, Mo., February 12th, 1852.

James Overton Broadhead when at home resides in St. Louis, Mo. He is now U. S. minister to Switzerland. He married Miss Mary Snowdon Dorsey, a daughter of Colonel Edward Dorsey, of Pike county, Missouri, in 1847. They have three children, Charles S., a promising lawyer of St. Louis, Missouri; Mary W., married to William Horton, of St. Louis, and they have three children; and Nannie Dorsey Broadhead, rarely gifted and of marked intelligence and culture. James O. Broadhead has had an honorable career, three times member of the Missouri Legislature, once a member of Congress, at one time U. S. District Attorney, and three times a member of Missouri State Constitutional Conventions, the last in 1875, which framed the present Constitution of Missouri. He was also a member of the Charter Convention to frame a special government for the city of St. Louis.

Mary Ann Broadhead, daughter to Achilles and Mary W. Broadhead, married John H. Newby, who died in Texas in 1888. Mrs. Newby died in Clayton, Missouri, July 3d, 1890. Their children are Dr. J. B. Newby, of St. Louis, who married Libby North, and they have two daughters, Mary and Florence, now grown young ladies.

William Garland Newby, son of John H. and Mary Ann Newby, is cashier of a bank in Fort Worth, Texas. He married Miss Etta Price, formerly of Mississippi.

Garland Carr Broadhead, son of Achilles and Mary W. Broadhead, married Marion Wallace Wright, in Pleasant Hill, Missouri, December

21st, 1864. Marion W. Broadhead was born in Pleasant Hill, Missouri, April 9th, 1843, and died in Pleasant Hill, Missouri, November 24th, 1883. Garland C. Broadhead married a second time, June 18th, 1890, to Miss Victoria Regina Royall, who was born in Halifax county, Virginia, in 1841.

The children of Garland C. and Marion W. Broadhead are Mary West, born in Pleasant Hill, Missouri, April 28th, 1866; Garland Carr Broadhead, born in Pleasant Hill January 4th, 1873; Marion Gertrude, born in Pleasant Hill May 21st, 1877, and Harry Howard, born in Pleasant Hill, Missouri, October 29th, 1879. Mary West Broadhead was married to William E. Whitsitt in Pleasant Hill, Missouri, December 18th, 1884. They have one son, Garland, born January, 1893.

Garland C. Broadhead, son of Achilles Broadhead, was Assistant Geologist of Missouri 1857-1861; Assistant Geologist of Illinois 1868; Assistant Geologist of Missouri 1871-1873; State Geologist of Missouri 1873-1875; Juror of Mines and Geology Centennial 1876; Special Agent Tenth Census investigating Quarry Industry of Kansas and Missouri; Member of Missouri River Commission 1884-1895; Professor of Geology Missouri State University 1887-1895.

Elizabeth Maria Broadhead, daughter of Achilles Broadhead, was married to Dr. H. B. Logan, of St. Louis, Missouri, 16th of March, 1875, and died in St. Louis July 2d, 1892, leaving a large circle of loving friends.

William F. Broadhead, youngest son of Achilles and Mary W. Broadhead, is a lawyer of Clayton, Missouri. He married Miss Rosalie Weber, and they have the following children: Rosalie, Overton, Archibald, William and James.

Colonel Sam Carr, who was grandson of John Carr, of Bear Castle, was the son of Dabney Carr. His first wife was Eleanor Boucher, his first cousin, and she was sister of Jonathan B. Carr and also of Elizabeth Carr, who married Judge Dabney Carr. Colonel Sam Carr's second wife was Maria Dabney, daughter of William Dabney.

Colonel Sam Carr's son, Dabney Overton, was killed in battle in South America, fighting with Simon Bolivar for the freedom of South American colonies.

Colonel Sam Carr died in Kanawha, West Virginia, in 1855. Only one son of Colonel Sam Carr is now living, Colonel George Watson Carr, of Roanoke, Virginia, a son by his second wife. Colonel George Carr's first wife was Miss Emma Gilmer Watts, of Roanoke, Virginia, to whom he was married in 1860. They have a son, William Watts, residing in Louisville, Kentucky, and a daughter, Betty, married to Donald McDonald, also of Louisville, Kentucky. Colonel George Carr's first wife has been dead over twenty years, and in 1876 he married Miss Pinnie Laws, of Hampton, Virginia. They have one daughter, Sally.

Judge William C. Carr came to St. Louis soon after the Louisiana purchase. He erected the first brick house in St. Louis in 1813. In 1817 he was appointed by the Territorial Legislature one of the trustees of St. Louis Public Schools, along with Thomas H. Benton and others. He was a prominent candidate for Governor in 1825. In 1826 was appointed circuit judge, and filled the position with honor and credit, yet politicians preferred false charges against him. These charges were carefully examined, and the Judge was honorably acquitted. He soon after retired to private life. He is described as being neatly dressed, and always conducted himself as a perfect gentleman. His circuit embraced a large area, extending over nearly one-third of Southern Missouri.

Among old papers I find one in the handwriting of Dr. Frank Carr, of Albemarle county, Virginia, containing a notice of Judge Dabney Carr, his death and subsequent resolutions, as follows:

Departed this life on the 8th of January, 1837, at his residence near this city, the Honorable Dabney Carr, one of the Judges of the Court of Appeals. Judge Carr was born April, 1773, about one month before the death of his father. He was brought up by his excellent mother, the sister of Mr. Jefferson, and at maturity commenced the practice of the law in Albemarle, where he became distinguished for his sound sense and professional ability, and eminently remarkable for his diligence, punctuality and fidelity. In 1811 he was promoted to the office of Chancellor of the Winchester district, which he held until the spring of 1824, when he was elected to fill the vacancy in the Court of Appeals created by the death of the Hon. William Fleming. Upon the adoption of the new Constitution, the seats of all the judges having been vacated, and a new election taking place, he was elected to a seat on the Bench of the newly organized court, which he adorned for more than twelve years by his eminent virtues, his great learning and his sound and judicious opinions. His assiduity was without example, and the failure of his fine constitution is fairly set down to his uncommon labors. It has been his good fortune to be rarely absent from his seat from indisposition, and even in his last illness he has lost but one week of the term. The first thing that struck you on an acquaintance with Judge Carr was his native modesty, which a commerce with the world of sixty years had never abated. In conversation you knew not which most to admire, the soundness and purity of his opinions, or the deference, approaching even to humility, with which they were ever advanced. In argument, though cogent and earnest, he was never betrayed into a sophism, nor tempted to pass the boundaries marked out by forbearance and moderation. His gentleness of disposition and suavity of manners were on all occasions conspicuous. They were not confined to his family or brethren of the Bench, with whom his intercourse was delightfully harmonious. They won for him the regard even of strangers, upon his

first introduction, while the substantial good qualities of his head and heart never failed to rivet the affections which had first been the result of his engaging demeanor. The virtues indeed seemed to cluster around his character. In all his relations he was distinguished by truth, fidelity and constancy, for firmness and manly fortitude, for scrupulous honor, laudable prudence, exact punctuality, and a faithful discharge of every duty. His plan of life was systematic and steadfastly pursued, for it was formed upon upright and wide reflected principles, which he adopted with the utmost care, and adhered to with unwavering tenacity.

As a public officer filling the highest judicial stations in the State, his untiring industry, his sedulous attention, his patient investigation, his steadfastness of principle and his stern rebuke of vice were above all praise, and the virtues of his heart were not more conspicuous, than the ability and learning which were ever displayed in his judicial opinions. These form his monument, a monument more enduring than brass, more lasting than marble. The volumes which contain his opinions will go down from generation to generation as the repositories of our jurisprudence, and posterity will find there an imperishable memorial of the greatness and goodness of this admirable man.

The mind of Judge Carr was clear, vigorous and accurate, his style was pure, classical and strong; his learning was extensive, well digested and profound, his acquirements in every field of Literature considerable. With the ancient classics and the best writers of our own language he was largely and intimately acquainted, and one of his greatest enjoyments was to spend a leisure moment with his favorite Cicero, of whose works he was eminently fond. With a mind thus stored, it was not wonderful that his society was the delight of his friends, and accordingly all who were fortunate enough to enjoy it sought it with avidity. In his private relations, indeed, his life was truly lovely; always urbane, never censorious, always benevolent, never stern; among the foremost in the liberal hospitality of a gentleman to his friends, warm and devoted, and as a husband, father and brother, never surpassed. In his last moments all these gentle and amiable qualities beamed forth with conspicuous brightness. It was an affecting evidence of his tenderness that he desired that his last look might dwell upon the amiable partner, who for nearly forty years had shared his cares and his fortunes, and whose privilege it had been to enjoy for such a length of days a happy union with one of the noblest of men. He met death with the fortitude and resignation which might well have been expected from such a man in the evening of a well spent life. He ordered the curtains of his windows to be withdrawn only a few hours before his death, (for he retained his senses to the last) and looking out upon the bright world that lay before him, he exclaimed "Beautiful! beautiful! all is bright, and now I want to go up. But it is not fit that we should be impatient at leaving so beautiful a world as this, we must wait our time,"

and accordingly, though his last moments became more distressing, and led him to wish repeatedly that the struggle was over, his patience and calmness never for a moment deserted him. To such a man we may point the rising generation and say to them, in the language of his favorite poet, *respicere exemplaritae morumque jubebo*.

At a meeting of the surviving judges of the Court of Appeals, the members of the Bar and officers of the court, on Monday, the 9th day January, 1837, on motion of Henry StG. Tucker, Esq., Francis T. Brooke, Esq., was called to the chair, and Sydney S. Baxter was appointed Secretary. Benjamin W. Leigh announced the death of Dabney Carr, Esq., one of the Judges of the Court of Appeals, and moving the following preamble and resolutions, which were unanimously adopted:

The surviving Judges, the members of the Bar and officers of the Court of Appeals, assembled on the occasion of the death of the Hon. Dabney Carr, have to express not only their sense of the public loss sustained in this afflicting dispensation of Providence, but deep and lasting regret peculiar to themselves. In the judicial stations, first of Chancellor and then of Judge of this Court, which the deceased for so many years filled and adorned, his learning and ability, his indefatigable industry and devotion to his official duties, the entire exemption from every passion that might warp the judgment, the ardent love and zeal for pure justice, and the perfect fairness of mind which he brought to the decision of every cause, as well as the integrity of his life and the spotless purity of his morals and conduct, were known to his country and commanded universal respect, esteem and confidence. But to his brethren of the Bench, to the members of the Bar, and to the officers of the Court he was not only an object of respect, esteem and confidence—he was endeared to them by the gentler virtues he displayed in the constant intercourse of business, by the evenness and suavity of his temper, the amiable simplicity of his manners, his unaffected modesty, his unassuming dignity, and above all his kindness of heart, flowing in one uninterrupted current for a series of years, and flowing to us all. He has not left an enemy behind him, and among us he has left those who mourn him as a brother or a father.

Resolved, That in testimony of respect to the memory of the deceased, the Judges, the members of the Bar and the officers of the Court will wear the usual badge of mourning one month. That the Chairman and Secretary be requested to communicate a copy of these proceedings to the widow and family of the deceased, and to assure them of our deep sympathy in their distress.

That they be also desired to lay before the Court of Appeals the request of this meeting that a copy of these proceedings be entered on

the order-book of the Court, and that they also cause these proceedings to be published.

On motion, the meeting adjourned to attend the funeral of Judge Carr.

FRANCIS T. BROOKE, *Chairman*.

S. S. BAXTER, *Secretary*.

FUNERAL OF JUDGE CARR.

Mr. Stanard said since the adjournment of the House on Saturday, an event had occurred which involved a most serious public and private loss. Judge Carr is no more, and, said Mr. Stanard, I am not exaggerating when I say that scarcely one member of the community could have been taken from us who could have been more illy spared. I think the loss of a gentleman so estimable in all the relations of life—of a magistrate so upright, so able, so impartial—offers an occasion on which the members of this House may, with propriety, suspend the performance of their duties to offer at his grave testimonials of the respect which his virtues and abilities deserve. Under this impression, he moved that the House adopt the following preamble and resolution:

It being announced to the House of Delegates that since its adjournment on Saturday, Dabney Carr, Esq., one of the judges of the Court of Appeals, has departed this life, an event by which the country is deprived of a most estimable citizen, and an able and upright magistrate; and the House of Delegates profoundly regretting the melancholy event, and being desirous to offer a suitable testimonial of respect to his memory; therefore,

Resolved, That the members of this House will attend the funeral of the late Dabney Carr, Esq., to take place this day at one o'clock.

This preamble and resolution were unanimously agreed to, and, on motion of Mr. Stanard, the House adjourned.

BOOK REVIEWS.

FISKE'S HISTORY OF THE UNITED STATES.

The able and just criticisms by Hon. William Wirt Henry of Dr. John Fiske's *History of the United States for Schools*, in this Magazine for April, inspire me to call attention to some of Fiske's singular omissions to introduce, even by mention of name, several prime factors in very important historical events or episodes which find place in his interesting book. Does he, "a professional hand" (his preface), pursue a uniform consistency in "so much compression?" If he fails in such consistency, particularly if he presents to his readers the actors in less important events than those in which he omits the actors' names, he lays himself open to the charge of being unfair, or of exercising a bad judgment, or of doing hurried work. Not the least charm or usefulness of any historical writing consists in the presentation of both facts and factors. Dr. Fiske will heartily endorse this remark, as witness his admirable grouping of *men* and events "in the making of the government," on page 250.

Our author writes evidently as a patriot; his book is intended for our boys and girls; his energetic publishers, with genuine "Yankee push," are giving it a national circulation. It is, therefore, one of those "books of books" which ought to impartially introduce our historic characters or heroes; the personages themselves are entitled to such recognition, particularly in events which go to the making or the saving of a nation.

Of the most important pre-Revolutionary authority in New England's history, Dr. Fiske remarks: "For intellectual gifts and accomplishments, Hutchinson stood far above all the other Colonial governors. His 'History of Massachusetts Bay' is a work of rare merit, alike for careful research, for philosophical acuteness, and for literary charm." * On page 89 Fiske introduces the names of Carver and Bradford, and says that "the other chief leaders of the Pilgrims were William Brewster and the stout soldier Miles Standish." On the following page are illustrations of three Pilgrim relics—Carver's chair, the cradle belonging to Fuller, and the sword of Standish, with a descriptive foot note. Now Hutchinson's first mention of the Mayflower names is that of "Mr. Edward Winslow, one of the principal undertakers" of the Colony *ab initio* (Edition of 1795, Vol. I, page 13). The only authentic portrait of that band of moral heroes is that of Winslow, now in Pilgrim Hall, at Plymouth, and, although I do not press the point, as a large portrait of Winthrop graces his story of the larger Colony, so a smaller portrait of

* Appleton's Cyclopædia of American Biography.

a Mayflower governor might fittingly greet the juvenile reader of Fiske's sketch of the initial, if humbler, Colony. For, too, there are 220 illustrations, including many portraits, in this endeavor "to squeeze the narrative of nearly three centuries within the narrow limits of a school book." Among the portraits are a large one of Brandt, others of Andros, Arnold and Santa Anna.

The copious index to Hutchinson, prepared by the historian, J. Win-gate Thornton, and published in 1879, contains twenty references to Winslow, and two to Bradford; to Brewster and Standish none—and I suppose Fiske knows Hutchinson all by heart! In this citation I except Appendix No. I, pages 404-23, which is a summary of events at Plymouth from 1620 to 1692, containings, of course, the Mayflower compact signed by Carver, as governor, by Bradford, next by Winslow, * notwithstanding his youthful years, then by Brewster and the rest of that historic company.

Leaving this work of "careful research," we turn now to a history in particular of Plymouth Colony, that of Francis Baylies, republished in 1866, with notes and additions by Samuel G. Drake, a founder of the New England Historical and Genealogical Society. Dr. Fiske sanctions the word "valuable" as applied to this history. Here the references stand: Winslow, 40, Bradford, 38, Standish, 32, and Brewster 9.

We now glance at the "American Biographies," in two volumes by Jeremy Belknap, the founder of the Massachusetts Historical Society, in 1790, of whose famous History of New Hampshire Fiske approves the remark made that it "takes high rank for accuracy." We find the reference record to run: Winslow, 40, (Governor Josiah Winslow, 27), Bradford, 25, Standish, 25, Brewster, 6.

What says Winthrop? He introduces Winslow 17 times, Bradford 11 times, Standish 5 times, and Brewster once in his "History of New England." In the edition so luminously edited by James Savage, king of genealogists, that standard authority refers to Winslow as "a great man in all circumstances." "For foreign employment, his better birth and breeding gave him advantages over his fellow emigrants," as Pal-frey remarks, which Governor Winthrop fully appreciated.

Young's "Chronicles of the Pilgrim Fathers," embellished with a single portrait, that of Winslow, and with drawings from the original of "the chairs of Winslow, Carver and Brewster," has a copious index, whose references include forty-two to Bradford, forty-two to Winslow, forty to Standish, and thirty-seven to Brewster. Edward Winslow's mission to England in 1646, never to return, after his important services under Cromwell—as it proved—prematurely shortened his record in these Chronicles. But we shall refer to how actively he served the colonists from 1646 to 1654. In 1650 President Steele, of the Society for

* See also Morton's "New England Memoriall."

Propagating the Gospel in New England, wrote to the Commissioners of the Colonies that Winslow was unwilling to be longer kept from his family, but that his great acquaintance and influence with members of Parliament required it.

From 1620 to 1640 was the heroic period of Plymouth. Fiske informs us that "the grouping is, however, the main thing." This, for example, from Baylies: "It was only by the consummate prudence of Bradford, the matchless valor of Standish, and the incessant enterprise of Winslow that the Colony was saved from destruction. The submissive piety of Brewster, indeed, produced a moral effect as important in its consequences as the active virtues of the others." (Preface.)

It is all but supererogatory for me to outline, in brief language, some important acts of a Pilgrim leader whose Colony with that at Boston made Massachusetts the parent of the Northern States settled by the English, as Virginia was the parent of the Southern States. The publication of Winslow's "Good Newes from New England," in 1624, after his mission to England on behalf of Plymouth, was very instrumental in attracting attention to Massachusetts, and particularly in leading on to that final consummation, the settlement at Boston. Under Winslow as Governor, in 1633, the first English settlement was made in Connecticut, a little above Hartford; in 1635 Winslow went on a mission to England on behalf of Boston and Plymouth, partly to answer the complaints made by Thomas Morton against the former Colony, and partly to inform the government of the intrusions of the French and the Dutch, when he seems to have had in mind a union of the Colonies, like the Confederation of 1643, for he petitioned for a warrant for mutual or united defence. In 1636, under Winslow as Governor, was enacted the elaborate code of laws and statutes that placed the Colony on a stable foundation—a fitting sequel to the initial action taken during his first gubernatorial year to establish the office of constable, and to keep an official journal of proceedings. As the Colony did not wish to disturb its peaceful relations with Massachusetts, Governor Winslow advised Roger Williams, when banished from it, to settle without the limits of either colony. The words of Williams, in view of the changed light in which his banishment is now considered, are significant as well as pathetic: "It pleased the Father of Mercies to touch many hearts with relentings, among whom that great and pious soul, Mr. Winslow melted, and he kindly put a piece of gold into the hands of my wife, for our supply." Sent by Massachusetts to England in 1646, to meet the accusations of Gorton, and to defend that Colony from the charge of religious intolerance, Winslow succeeded in averting censure from the commission, and his book, "Hypocrisie Unmasked," was considered a full vindication of the Colony. Palfrey well says of him that at this time he moved among the British Parliament as one of themselves.

In 1649, Winslow published "the Glorious Progress of the Gospel

amongst the Indians in New England," and by his influence an act was passed on July 19th, incorporating the Society for Propagating the Gospel in New England, which furnished the means to publish Eliot's Translation and other now historical books of precious remembrance and value.

From the morning of March 21st, 1621, when Winslow was deputed to meet Massasoit—to whom he said "that King James saluted him with words of love and peace, and did accept of him as his friend and ally"—or from July, 1621, when he conducted the first English embassy to the New England Indians, and the first attempt to explore the interior, with Stephen Hopkins, he, for a period of thirty years, was pre-eminently the Colony's representative in matters of diplomacy and business, in dealing at home with the Indians and a sister Colony, or abroad with England.

The great authorities cited by me, however just and strong their appreciation of this man, could not anticipate the publication in our day by the English Government, of the Calendar of State Papers in which Winslow's continuous and indispensable services on behalf of Plymouth and the United Colonies are disclosed. Fiske, of course, knows of this publication. Hon. John A. Goodwin, a descendant of Bradford, in his work, "The Pilgrim Republic," has this remark upon its Triumvirs, as he titles them: "Wonderful, indeed, was it that a single shipload *

* * * should have had not only a Carver, Brewster, and Fuller, but also such a greater trio as Winslow, Standish and Bradford."

Governor Winslow's son, Governor Josiah Winslow, held every important office, civil and military, that Plymouth had at its disposal, was one of the six signers of the new articles of confederation, and was appointed, in 1675, general-in-chief of the colonial forces. Fiske devotes two pages, with an illustration to "The overthrow of the Pequots" introducing the names of the captain of the twenty men from Massachusetts, and of the ninety men from Connecticut; but in his graphic recital of the "terrible Indian war," called King Philip's War, the name of New England's commander-in-chief is not even mentioned! King Philip's signature and his "mark," as scrawled upon the page, are interesting; but our school boys and girls will look in vain for the portrait of the man who was the first native-born Governor in New England, its first native-born general, its first commander-in-chief, and who was the general in command in the most memorable of Indian wars in the settlement of America. "Extreme compression and abridgment," would be Dr. Fiske's reason for such omissions.* Yet in "The Blows of Frontenac" against New England we are treated to the details of the story of Hannah Dustin and Mary Neff, and are told who, it is said, concealed the charter in an oak tree

General John Winslow, the most distinguished military leader of the

* Literally. He so writes to me.

period in New England, with the exception of Sir William Pepperell, who, in 1756, so established himself at Fort William Henry that Montcalm was forced to turn aside to Oswego, obeyed orders in evicting the Acadians. But his name is passed over. Yet on page 164 we are informed of the doings of two "amateur generals," as Fiske calls them.

That greatest naval event on the high seas in the War for the Union, the combat between the Kearsage and the Alabama, and that supremely momentous naval incident, the battle between the Monitor and the Merrimac, as described by Fiske, entirely omits to name either of the two commanders in both contests! all of them brave men, and two of them, from Fiske's standpoint, patriots of the truest dye. His inconsistency is shown from the fact that in the various portrayals of naval battles from the Revolution down, he names the respective captains, and sometimes gives their portraits. He heaps glory upon Ericsson, the inventor of the Monitor, as "among the great men who saved the Union and freed the slaves," and prints his likeness from the unique marble bust modeled from life by Kneeland, and now in my possession in my house at Cambridge.* Worden, who helped to complete the Monitor, to be in time to meet its terrible opponent, and who so dexterously handled it, receiving severe wounds, is not so much as named by Fiske, who, of course, overlooks Winslow, of the Kearsage. (Here read what he indorses of Winslow and Worden in Appleton.) In that "utterly unjustifiable" transaction, the taking of Mason and Slidell from the Trent, he twice particularizes the Federal commander.

Simple want of space prevents further illustration of the inconsistency of Fiske in his compressions. No matter how much he knows, how inspiring it is to hear him lecture, how instructive are his portrayals, if he fails here, it is a vital defect—especially in a text-book for our Southern and Northern boys and girls who are entitled to impartially know, not only the facts but the *Factors* by name, in the making or "saving" of our nation. It seems almost incredible that Dr. Fiske does not know that an *equitable* and uniform compression in such a book as his, possessing many merits, is a virtue indispensable to its truth-telling mission to our youth. For Dr. F. A. Hill's addenda we have only words of praise. To him Dr. Fiske owes much that goes to make his history useful in many ways.

WILLIAM COPLEY WINSLOW.

Boston, August 1st.

* Notwithstanding "extreme compression," see also such personal foot notes as those on pages 207 and 370.

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Pages xxi-247. Contains *fac-simile* of plan of "King William's Town." 2.50
- Miscellaneous Papers, 1672-1865.** Now first printed from the manuscript in the Collections of the Virginia Historical Society. Comprising Charter of the Royal African Co., 1672; Report on the Huguenot Settlement 1700; Papers of George Gilmer of "Pen Park," 1775-78; Orderly Book of Capt. George Stubblefield, 1776; Career of the Iron-clad Virginia, 1862; Memorial of Johnson's Island, 1862-4; Beale's Cav. Brigade Parole, 1865.
Pages viii-374. 2.50
- Abstract of the Proceedings of the Virginia Company of London, 1619-1624, Prepared from the Records in the Library of Congress by Conway Robinson, with an introduction and notes. Vols. I and II.**
Two volumes. Pages xlvii-218 and 300. The introduction contains a valuable critical essay on the sources of information for the student of Virginia History. 5.00

The History of the Virginia Federal Convention of 1788, with some account of the Eminent Virginians of that era who were members of the Body, by Hugh Blair Grigsby, LL. D., with a Biographical Sketch of the Author and illustrative notes. Vols. I and II.

Two volumes. Pages xxvii-372 and 411.

5.00

Proceedings of the Virginia Historical Society at the Annual Meeting held December 21-22, 1891, with Historical Papers read on the occasion and others.

Pages xix-386. Contains papers on the Virginia Committee of Correspondence and the Call for the First Congress; Historical Elements in Virginia Education and Literary Effort; Notes on Recent Work in Southern History; Ancient Epitaphs and Descriptions in York and James City Counties, Washington's First Election to the House of Burgesses; Smithfield Church, built in 1632, Richmond's First Academy; Facts from the Accomac County Records, Relating to Bacon's Rebellion; Thomas Hansford, first Martyr to American Liberty; Journal of Captain Charles Lewis in Washington's Expedition against the French in 1755; Orderly Books of Major Wm. Heath, 1777, and Capt. Robert Gamble, 1779, and Memoir of General John Cropper.

2.50

The full set of these publications can be obtained for \$31.00, or the separate publications, at the prices named.

Discount allowed to booksellers.

VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY.

The Virginia Magazine of History and Biography, Edited by Philip A. Bruce, Corresponding Secretary and Librarian of the Society, (Seal). Published Quarterly by the Virginia Historical Society, Richmond, Va. House of the Society, No. 707 East Franklin St.

VOLUME I—Octavo, pp. 484-viii-xxvi-xxxii.

Contains cut of the Society's Building, accounts of the proceedings and transactions of the Society for the year 1893, and many exceedingly valuable, original historical documents and papers which have never before appeared in print. Among others may be mentioned, Discourse of the London Company on its administration of Virginia affairs, 1607-1624; Abstracts of Colonial Patents in the Register of the Virginia Land Office, beginning in 1624, with full genealogical notes and an extended Genealogy of the Claiborne Family; The Mutiny in Virginia in 1635; Samuel Matthew's Letter and Sir John Harvey's Declaration; Speech of Governor Berkeley and Declaration of the Assembly with reference to the change of Government in England and the passage of the First Navigation Act of 1651; Petition of the Planters of Virginia and Maryland in opposition to the Navigation Act of 1661; Bacon's Rebellion, 1676; His three proclamations, Letters of Sherwood and Ludwell, Proposals of Smith and Ludwell, and Thomas Bacon's Petition; Letters of William Fitzhugh (1650-1701), a Leading Lawyer and Planter of Virginia, with a genealogical account of the Fitzhughs in England; Lists of Public Officers in the various Counties in Virginia late in the 17th and early in the 18th centuries; Roster of Soldiers in the French and Indian Wars under Colonel Washington; Officers, Seamen and Marines in the Virginia Navy of the Revolution; Roll of the 4th Virginia Regiment in the Revolution; Diary of Captain John Davis of the Pennsylvania Line in the Yorktown Campaign; General George Rogers Clark,—Roll of the Illinois and Crockett's Regiments and the Expedition to Vincennes; Department of "Historical Notes and Queries" containing contributions by Hon. Wm. Wirt Henry, and many other items of value; Department of "Book Reviews;" A full Index.

5.00

VOLUME II—Octavo, pp. 482-ii-xxiv.

Volume II contains a full account of the proceedings and transactions of the Society for the year 1894, and the following list of articles copied from the original documents: Report of Governor and Council on the Condition of Affairs in Virginia in 1626; Abstracts of Colonial Patents in the Register of the Virginia Land Office, with full genealogical notes and extended genealogies of the Fleet, Robins and Thoroughgood Families; Reports of Grievances by the Counties of Virginia after the suppression of Bacon's Insurrection; A full history of the First Legislative Assembly ever held in America (that in 1619 at Jamestown), written by Hon. Wm. Wirt Henry; The concluding list of Virginia Soldiers engaged in the French and Indian Wars; The opening lists of the Virginia Officers and Men in the Continental Line, compiled from official sources; A valuable account of the Indian Wars in Augusta County, by Mr. Joseph A. Waddell, with the lists of the killed and wounded; Instructions to Governor Yeardley in 1618 and 1626, and to Governor Berkeley in 1641; Letters of William Fitzhugh continued, with full genealogical notes; The Will of William Fitzhugh; A complete List of Public Officers in Virginia in 1702 and 1714; Valuable account of Horse Racing in Virginia, by Mr. Wm. G. Stanard; The first instalment of an article on Robert Beverley and his Descendants; Wills of Richard Kemp and Rev John Lawrence, both bearing the date of the 17th century; Short Biographies of all the members of the Virginia Historical Society who died in the course of 1894; An elaborate Genealogy of the Flournoy Family, throwing light on the Huguenot Emigration; Department of Historical Notes and Queries, containing many valuable short historical papers and also Genealogical contributions, among which the Carr and Landon Genealogies are of special interest; Department of Book Reviews, containing critical articles by well known historical scholars. Volume II, like Volume I, has been thoroughly indexed.

5.00

Discount allowed to booksellers.

Complimentary Notices of the Magazine.

The *Virginia Magazine of History and Biography* has established itself in the front rank of similar periodicals of this country.

NEW YORK NATION.

The tendency of this age is to find original documents, and not to rely on opinions of historians. The Virginia Historical Society has appreciated this, the true basis of historical knowledge, and is committing to the press, and thus forever preserving, the valuable MSS. material in its possession. This makes the *Virginia Magazine of History and Biography* invaluable to students of the history of our country.

WM. WIRT HENRY,

Author of the "Life and Correspondence of Patrick Henry."

I regard the *Virginia Magazine of History and Biography* as a most valuable publication. The first seven numbers contained documents which compelled me to alter my lecture notes in several important particulars—especially as to education in Virginia and as to Bacon's Rebellion. A scholarly and useful publication.

PROF. EDWARD CHANNING,
Harvard University.

The *Virginia Magazine of History and Biography* now ranks in importance and interest with the issue of the Pennsylvania Historical Society. I regard these two Quarterlies as the most valuable contributions to American history at the present day, and indispensable to students of American history.

WORTHINGTON C. FORD,
Editor of "Washington's Writings."

The purpose which the *Virginia Magazine of History and Biography* sets forth in the interest of American history is a highly commendable one, and thus far I have found it carried out with scholarly taste and discrimination.

JAMES SCHOULER,
Author of "History of United States."

The impression made upon me has been that the work brought out by the *Virginia Magazine of History and Biography* is most painstaking and valuable.

FRANKLIN CARTER,
President of Williams College, Mass.

The *Virginia Magazine of History and Biography* is one of the most welcome visitors received in my home. It is certainly one of the most instructive. The contributions furnished by its pages to the Colonial History of Virginia are beyond value to one who, like myself, is deeply interested in this, the most romantic era in the story of our country.

MARY VIRGINIA TERHUNE,
(MARION HARLAND.)

I consider the *Virginia Magazine of History and Biography* one of the very best works of its character published in this country. It is most ably edited, and the facts it gives in reference to Virginia history, which is of great interest to all of us, makes it a most valuable addition to the private library of every student of history.

WILLIAM S. STRYKER,
Adjutant-General of New Jersey.

The *Virginia Magazine of History and Biography* is most interesting and most valuable.

RT. REV. T. U. DUDLEY, D. D.

I have found the *Virginia Magazine of History and Biography* a valuable and interesting journal. The publication of original papers is very necessary for the history of the State, and there is no more important work to which the Magazine could be devoted.

PROF. JAMES M. GARNETT,
University of Virginia.

The *Virginia Magazine of History and Biography* is of very great interest and aid to me in recalling the incidents, personages, and manners of the Old Dominion in the Colonial period. As a repertory of original information it is invaluable to the student in his researches for the influences and agencies that conduced to the formation of Virginia.

GEN. ROGER A. PRYOR,
Judge Court of Common Pleas, New York City.

It gives me the greatest pleasure to speak in most cordial terms of the excellent work done by the Virginia Historical Society in its Magazine. I only wish there were more Historical Societies in the country willing to follow and capable of following your example.

THEODORE ROOSEVELT,
Author of "Winning of the West," etc.

The *Virginia Magazine of History and Biography*, edited with much ability and scholarship, is a rich mine of original materials of great value to historians of Virginia and the United States. I find much in it to interest the student of Virginia English as well as the student of history.

PROF. WILLIS H. BOCOCK,
University of Georgia.

The Virginia Historical Society is doing admirable work in publishing the *Virginia Magazine*. The numbers already published contain a great deal that is of high value. The publication of such rich historical materials as Virginia seems to have in such plenty is just one of the things which are most needed.

PROF. JOHN FISKE.

I am very much pleased with the *Virginia Magazine of History and Biography*. The material published is valuable. I like exceedingly the spirit shown in the pages devoted to Book Reviews. It is genial and fair as well as discriminating.

PROF. ANSON D. MORSE,
Amherst College (Mass.)

I hail the quarterly coming of the *Virginia Magazine of History and Biography* with the greatest pleasure. It is invaluable, and should find a place in the library of every student of American history and genealogy.

J GRANVILLE LEACH,
President of the American Genealogical Company (Philadelphia, Pa.)

FENLAND NOTES AND QUERIES.

Edited by Rev. W. D. SWEETING, M. A.,

Maxey Vicarage, Market Deeping, England.

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The Virginia Magazine of History and Biography.

The Virginia Magazine of History and Biography, which is issued quarterly by the Virginia Historical Society, will accept for publication a limited number of advertisements of a suitable character, at the following rates:

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The edition of the Magazine is 1,200 copies, and its circulation is constantly increasing among foreign and American scholars.


Those who have old books, pamphlets, etc., for sale will find it of advantage to avail themselves of this medium of advertising them.

PHILIP A. BRUCE, *Editor,*
707 E. Franklin, Richmond, Va.

The Virginia Historical Society.

Members are requested to solicit contributions of books, maps, portraits, and manuscripts of historical value or importance, particularly such as may throw light upon the political, social or religious life of the people of Virginia.

The Society will become the custodian of such articles of this character as the possessors may from any cause be unwilling to give, and in the case of family papers or other manuscripts which it may be undesirable to publish, it will, upon request, keep them confidential.

 A large *fire proof safe* has been secured and placed in the Society's building, in which all manuscripts and papers of value are carefully preserved by the Librarian.

In the vicissitudes of war, and the repeated removals to which the Society's Library has been subjected, many volumes have been lost and the sets broken. Odd volumes from the collections of its members and well-wishers will therefore be gratefully received.

It is especially desirable to secure as complete a collection as possible of early Virginia newspapers, periodicals and almanacs.

Any book or pamphlet written by a native or resident of Virginia, published or printed in Virginia, or in any way relating to Virginia or Virginians, will be accepted and preserved.

The Society requests gifts of photographs (cabinet size) of old portraits of Virginians, or photographs, drawings, &c., of Coats of Arms of Virginia families. Albums have been provided and an interesting collection has already been made.

\$5.00 per Annum.

Single No. \$1.50

L. E. J. U.

THE

VIRGINIA MAGAZINE

OF

HISTORY AND BIOGRAPHY.



PUBLISHED QUARTERLY BY THE

VIRGINIA HISTORICAL SOCIETY,

RICHMOND, VA.

VOL. III—No. 3. JANUARY, 1896.

WM. ELLIS JONES, PRINTER,

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PUBLICATION COMMITTEE.

ARCHER ANDERSON, CHAS. V. MEREDITH,
LYON G. TYLER, E. V. VALENTINE,
WM. H. PALMER.

EDITOR OF THE MAGAZINE,
PHILIP A. BRUCE.

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PROCEEDINGS

OF THE

Virginia Historical Society

AT ITS

ANNUAL MEETING

HELD IN THE

Society's Building, December 21st, 1895,

WITH THE

LIST OF OFFICERS AND MEMBERS OF THE SOCIETY.

RICHMOND:

WM. ELLIS JONES, BOOK AND JOB PRINTER.

1895.

PROCEEDINGS
OF THE
Virginia Historical Society
IN
Annual Meeting held December 21st, 1895.

The annual meeting of the Virginia Historical Society was held at the building of the Society, 707 E. Franklin Street, Richmond, Va., on the evening of December 21, 1895, a large number of ladies and gentlemen being in attendance. Mr. Joseph Bryan, the President, presented the annual report of the Executive Committee, which was as follows:

To the Members of the Virginia Historical Society:

The Executive Committee of your Society have the honor to submit the following as their annual report for the past year:

There have been ninety-four additions to the membership of the Society since the last report, of which five were life members. The membership is now sixty life and six hundred and eighty-nine annual members; total seven hundred and forty-nine, after making all deductions for members who have died, resigned or been dropped from the rolls for their failure to pay their dues within the time prescribed by the Constitution. The increase in net membership over last year is fifteen.

The Treasurer's report is as follows:

RECEIPTS.

On the 6th of October, 1894, the balance on hand was, as per report to Executive Committee of that date:

Balance in State Bank of Virginia—cash.....	\$ 33 52	
Certificate of deposit	1,900 00	
	<hr/>	\$1,933 52
Received since—		
Yearly dues.....		3,284 10
Interest.....		153 55
Books.....		147 37
Life members.....		250 00
Miscellaneous.....		53 70
		<hr/>
		\$5,822 24

EXPENDITURES.

Printing Magazine.....	\$1,128 40	
Salaries	1,767 50	
Postage	229 40	
Janitor	264 00	
Insurance....	52 50	
All other expenses	539 87	
	<hr/>	3,981 67
		<hr/>
		\$1,840 57
		<hr/>
Cash in bank.....	\$ 8 57	
Certificate of deposit.....	1,832 00	
	<hr/>	\$1,840 57

BOOKS.

The additions to the library for the year ending December 1st, 1895, in books, pamphlets, manuscripts and pictures, both paintings and engravings, have been numerous and very valuable. Of books and pamphlets we have received three hundred and sixty titles. Among these are an interesting collection of pamphlets, presented by Colonel Thomas H. Ellis, of Washington, D. C. A full set of the Encyclopedia Dictionary was presented by Mr. Edward W. James. This gift is especially gratifying, as our reading-room has been deficient in books of reference.

Of books relating to Virginia history we have received, by gift, the Orderly-Book of General Andrew Lewis, edited by Charles Campbell; The Letters of Curtius; Martin's Gazetteer; Latané's Early Relations between Virginia and Maryland; Ballagh's White Servitude in Virginia; Withers' Border Warfare; Memoirs of Colonel Joshua Fry; a printed copy of the Westover Manuscript; Dr. Edmond I. Lee's "Lee of Virginia;" The Ancestry and Descendants of the Rev. Robert Rose, prepared by our associate, Mr. W. G. Stanard; The Montague Genealogy, by Mr. George William Montague.

A gift of books of extraordinary value was the forty-four volumes of the Royal Historical Manuscripts Commission, made to the Society by the British Government at the instance of the Hon. Thomas F. Bayard, the ambassador of the United States to the Court of St. James. In informing the Society of this gift Mr. Bayard stated that it was an exceptional compliment, as such societies as the Virginia Historical Society "were not within the purview of the law regulating the distribution of these books, and no other society except the Virginia Historical Society had been, or is likely to be made, the recipient of them." We are also indebted directly to Mr. Bayard for a copy of the map of Virginia and Maryland, made by Augustin Hermann about 1674, the original being now in the British Museum. This map is very rare, and throws much light on the names of localities in Virginia at that period.

Besides these gifts, Mr. Charles M. Wallace, of Richmond, has offered to loan to the Society a collection, filling two large cases, of books on American and Virginia History, some of them rare; another case filled with pamphlets relating to Virginia, and several cases containing relics of the stone age. The library is now supplied by exchange with all the leading Genealogical Journals of England and Scotland, among which may be mentioned The Northamptonshire Notes and Queries; The Fenland Notes and Queries; The Somersetshire Notes and Queries; The Gloucestershire Notes and Queries; The Genealogical and Heraldry Miscellany, and the Scottish Antiquary.

MANUSCRIPTS.

The acquisition of manuscripts by the Society during the past year have been numerous and valuable, and all by gift or loan. Among those loaned of priceless value were the following from Mrs. Robert W. Hunter, of Winchester, Virginia, *nee* Miss Eliza Washington, daughter of Col. John Augustine Washington, of Mount Vernon: 1. The original patent to John Washington of the Mt. Vernon tract, bearing the signature of Lord Culpeper. 2. The plat of the Mt. Vernon estate while in the possession of Gen. Washington. 3. A large colored map of Harmer's Expedition against the Indians. Mrs. Hunter has had these three documents handsomely framed, and they now hang on the walls of the Society's rooms.

Another loan of great interest, made by Gen. G. W. Custis Lee, President of Washington and Lee University, is the original manuscript of Gen. Henry (Light Horse Harry) Lee's Memoirs of the Revolutionary War in the Southern Department. An edition of the work was published by Gen. Robert E. Lee after the late war. Gen. G. W. C. Lee has also placed with the Society, for safe keeping, the account-book of General Washington as guardian of Daniel Parke Custis and Martha Parke Custis, and also other Washington manuscripts of equal interest. These Washington and Lee papers have long been on deposit in the Bank of Lexington, Va., and it was due to the thoughtful and considerate suggestion of Gen. Bradley T. Johnson, the author of an admirable Life of Washington, that General Lee made the loan of these papers to our Society, where they will be more accessible to historical scholars.

Another addition to the Society of much interest, by gift, were the manuscript minutes of the House of Delegates of Virginia for the session of 1776, the first after the organization of the State of Virginia. These minutes were carried off from Virginia during the late war, and in some way got into the possession of Mr. C. W. Hunt, of Staten Island, N. Y., who took the occasion of a visit to Richmond last spring to bring the book with him and present it to the Society.

Under the supervision of our Society a copy has been made by the Society of Colonial Dames of the Parish Register of Middlesex county. This register, with many others, is in the keeping of the librarian of the Protestant Episcopal Theological Seminary, near Alexandria, Va. There is a mine of genealogical and historical information of the most original and authentic character concealed in these old parish registers, some of which extend well back into the seventeenth century. It is much to be hoped that the trustees of the Theological Seminary will place them in the care of this Society, where they may be accessible, and where in due time they may be copied and printed.

For many years an exchange of letters was made on the 4th of July of each year between the Hon. Robert C. Winthrop and Mr. Hugh Blair Grigsby. The originals of these letters have been preserved, and the consent of Mr. H. Carrington Grigsby having been obtained, Mr. R. C. Winthrop, Jr., proposes to have them appropriately arranged, bound, and presented to this Society. We have also been much gratified to learn through the Hon. W. W. Henry that Mr. H. Carrington Grigsby intends to present to this Society the Diary of his distinguished father. What the scope and character of the Diary is we do not know, but nothing that has come from the hand of Hugh Blair Grigsby can fail to be of interest, and his Diary may be of great and increasing value as a graphic picture of current events.

Just before his death in August last, General John D. Imboden offered the Society a large amount of manuscript, prepared by Col. J. Marshall McCue, upon the history of the Valley of Virginia. The offer was promptly accepted. Very recently Mrs. Imboden has sent these papers to us. As yet no examination has been made of them, but they are in a good state of preservation, and from their bulk alone must represent the results of great labor.

PICTURES.

The Society has received during the past year an unusual number of valuable pictures and portraits.

Mr. R. L. Traylor of our committee has presented us with eight etchings of Colonial Churches, which have been handsomely framed, and hanging upon our walls attract much attention from visitors.

The following original portraits have been loaned the Society by Mr. Leiper M. Robinson, and are now in our possession : A full length portrait of Governor Alexander Spotswood; Half length portraits of Angustine Moore of Chelsea, and of his wife; of Thomas Moore and of Mrs. Dorothea Dandridge. There are besides two portraits of persons unknown.

Mr. Charles M. Wallace has offered to loan the Society the following oil paintings, framed : A portrait of John Hampden Pleasants; small cabinet portraits of General and Mrs. Washington; portrait of Stonewall Jackson, from life by Bruce; R. M. T. Hunter, by Ford; John Marshall (on board), by Peale; A Virginia Lady, by Ford; A portrait of the artist Hart, by himself; The Burgomaster, a copy from the original at the Hague, by Weigandt; Anatomy, by the same; The Usurer, a picture of the Dutch School, by unknown artist; Seneca; A scene from Rob Roy, by R. M. Sully; Black Hawk and son, by Ford; The Horse Fair (Rosa Bonheur) a copy by Edgar.

To these oil paintings Mr. Wallace has added a loan of engravings of Luther, Bishop Moore, W. H. Lyons, and of seventeen sacred subjects by Jacobus Fry. He has also offered to loan the Society an oak chair from Arlington, the former property of General R. E. Lee, and two drawing-room chairs which belonged to President Davis.

We have also acquired by purchase the portrait of Colonel John Dandridge, the father of Martha Washington, and though in a damaged condition, it is capable of restoration.

PHOTOGRAPHS.

The Executive Committee last year directed the Library Committee to purchase two large photographic albums; one for photographs of old Virginia family portraits, the other for the coats-of-arms of Virginia families. Although the provision for these

interesting subjects of family history has only been in existence a few months, the collection of photographs is already considerable.

Prof. J. M. Garnett has given us eleven photographs of portraits of members of the Mercer family of Virginia and Maryland. We have also photographs of portraits of members of the Mayo family, of the Randolphs, of Turkey Island, of Chatsworth, of Wilton and of Tuckahoe. Also photographs of portraits of Lees, of Griffins, of Carys, of Madisons, of Harrisons, of Blairs, of Cabells, of Tylers, of Newtons, of Bollings, and of Tuckers.

The photographs of coats-of-arms now number sixty-three, the greater part of which are of Colonial families.

OTHER GIFTS.

Our Society has also been presented by the family of Lieutenant-Colonel Wm. M. Payne with a splendidly mounted sword, given him by the State of Virginia for distinguished bravery in the Mexican war.

Mrs. William Cameron has given us a large collection of shells obtained from all parts of the world.

In making its grateful acknowledgement of all these gifts and loans the Committee need hardly call attention to the obvious and evidently increasing disposition of persons in sympathy with our work to make this Society the recipient and depository of all manner of literary and documentary valuables. The tendency to place in public collections articles of historic value in preference to keeping them in the occultness of private hands, is growing, both from an appreciation of the greater safety thus secured for such articles, and from a laudable wish to give the public the benefit of these otherwise hidden and useless treasures. Our Society stands ready to receive and care for such articles, and the amount of them in this State, despite the ravages of war, destruction by fire, and the negligence of owners, is incalculable.

The number and value of the books, manuscripts, documents

and pictures received by the Society last year encourages us to hope that the esteem and confidence in which the Society is held will rather be increased than abated, and that we will continue to be the recipients of such articles. We are admonished, however, that we will have to continue to purchase large fire-proof safes, as we have already done, or adopt some comprehensive plan for fire-proofing most completely our whole building. With this in view a competent engineer and architect was engaged to make a survey of our building, and give an estimate for making it thoroughly fire-proof. He reports that, after careful examination of the building, he finds the walls to be unusually thick and in excellent condition, and with ample strength to bear the increased weight of the iron construction.

The estimated cost of this improvement, which would make our building one of the securest in this country, is about \$6,500. The addition of steam-heating apparatus would increase the cost about \$700 more. It should be borne in mind that our building is of brick, and is disconnected by several feet from the nearest other building, that we have a large area in our rear upon which any additions, which future wants may disclose, may be constructed, and that with our present building and ground, and our excellent central location, this Society with a moderately generous support may be readily developed into an institution not only of State and national interest, but of the greatest practical literary value and convenience to the citizens of Richmond.

There has been a steady demand among the members of the Society for books bearing on Virginia or American history and genealogy. We could to great advantage, did our means suffice, enlarge our collection of such books by purchase. We have, however, increased our facilities for the accommodation of books, and have spent all we could afford in binding a series of valuable almanacs in our possession, a set of New England Genealogical and Historical Registers, the Pennsylvania Magazine, and the forty-four volumes of the reports of the Royal Historical Manuscript Commission, procured for us by Mr. Bayard. Much yet remains to be done in this direction when our means will permit.

It was determined by the Executive Committee this year to publish in full the minutes of the London Company, abstracts of which were issued a few years ago by the Society, if a sufficient number of subscribers were secured. It will be recalled that our Society is now in possession of a copy of the copy of the original minutes which was made by Cullingwood, secretary of the Company at the time James I. resolved to revoke its letters patent. An attempt was made in 1624, by the enemies of the Southampton administration to obtain possession of the original minutes. In order to circumvent this, a duplicate copy of the Company's transactions was secretly made. This copy passed by purchase to the second William Byrd, of Westover, and after passing through several hands is now in the possession of the Congressional Library at Washington. During the time, however, the manuscript of the minutes was in Virginia a copy of it was made, and this is now the property of the Virginia Historical Society—a document of the very highest historical importance, none more so, indeed, in America. It ought to be printed verbatim. Some years ago an effort was made by the Rev. E. D. Neill to induce Congress to publish it, but the attempt met with no encouragement from that body. The Executive Committee have decided to publish the Minutes by subscription under the supervision of the Society. So far one hundred and ninety subscribers to the publication have been obtained, and it is hoped that during the coming year this number will be supplemented by enough more to justify the committee in proceeding with the publication. (See proceedings on page 17 for the arrangement made, subsequent to the preparation of this report, by the Society with the State for the publication of these "Minutes" at the expense of the State.)

During the past year the Publication Committee has adhered very strictly to the principle which it adopted in the beginning for its guidance in making up the contents of the Quarterly Magazine issued by this Society; it has continued to admit to the pages of the Magazine only original materials for history, believing that the publication of original historical documents,

which have never been printed before, will subserve a more useful purpose, and ensure the Magazine a higher position in the estimation of scholars than to fill it with a series of contributed articles of unequal value. The high standing, which, for this reason, our periodical has taken, is shown in the complimentary references to it, both in contemporary historical publications and in the correspondence of the Society. Among other papers printed during the past year, we have completed the publication of the series of lists of Virginia soldiers engaged in the Revolutionary War; have published, with one or two exceptions, the series of royal instructions to the Virginia Governors in the seventeenth century; have nearly completed the publication of the invaluable series of papers from the Public Record Office in London, which throw light on the causes of discontent in the counties of Virginia in 1676; have printed the papers from the same source, showing the condition of Virginia under Governor Harvey in the seventeenth century, and under Governor Gooch in the eighteenth; have brought the abstracts of Virginia Land Patents down to 1635; and have published genealogies of the Carr and Todd families, in addition to the Flournoy.

REPORT OF PUBLICATION COMMITTEE.

During the coming year the Publication Committee proposes to complete the publication of the series of papers relating to Bacon's Rebellion. This will include the first report made by the three English commissioners sent over to enquire the causes of the insurrection. This report gives the full history from the beginning, and although written by representatives of the English Government, who would naturally be biased in favor of Sir William Berkeley, is on the whole an impartial account of this remarkable episode in our early Virginia history. This report has never appeared in print, although one of the most important papers relating to our Colonial history. The investigation of the Royal Historical Manuscripts Commission in England brought to light the fact that in the manuscript collection of the Duke of Manchester, there were a number of important papers

giving the side of the Warwick faction in the controversy with the London Company, which led to the revocation of the charter in 1624. Some of these papers have been published by the Rev. E. D. Neill, but a number of the most important have never been printed. Among them is a reply to the Brief Declaration drawn up by the supporters of the Southampton administration, showing the state of the Colony during the time Sir Thomas Smyth was governor. The Declaration was printed in 1874, by the order of our State Senate. It is proposed to obtain a copy of the reply and other papers from the same collection for publication in the magazine.

Among the most interesting papers contained in the miscellaneous volume of the Randolph manuscripts, presented to the Society through the heirs of the late Conway Robinson, Esq., are abstracts of letters, laws, and proclamations throwing light on the administration of Governor Argall about 1617. It is proposed to publish these in full. Still more important are the minutes of the General Court, preserved in the Robinson manuscripts, now in the possession of the Virginia Historical Society, beginning with 1623, and extending to 1628, covering seventy-four pages of quarto manuscript. These are among the earliest records relating to the administration of law in the history of America, and are of unusual historical interest. It is proposed to publish these minutes in the numbers of the Magazine for the coming year. In the same volume of the Robinson transcripts there are copies of the full text of many important laws, of which Hening in his statutes at large only gives the headings. There are also brief abstracts of the decision of the General Court from 1641 to about 1650, and from 1677 to 1682, and a correspondence between Governor Mathews of Virginia and Governor Fendall of Maryland in 1659. All these are of great interest, and are included by the Publication Committee in the programme of publications for 1896.

Without giving with more particularity the plans of the Committee, it is sufficient to state that a recent careful examination by the Committee of the manuscript collections of the Virginia

Historical Society, shows that the Society possesses material of the highest historical value ample enough to furnish the Magazine with contents for a number of years, and this without drawing upon the large manuscripts of the Society, which should properly be published each in a separate volume.

NECROLOGY.

We are called upon this year to record and lament the death of an unusual number of our members. Among them are some who have distinguished themselves not merely by their interest in our work, but have attracted the attention of the great public by their several abilities.

Prof. John B. Minor, *Nomen venerabile et præclarum*, closed his great career since our last annual meeting.

It is an interesting fact not generally known that when the army of General Sheridan occupied Charlottesville in the spring of 1865, those buildings of the University of Virginia, where then dwelt John B. Minor, which have lately fallen before flames on a peaceful Sabbath, were, in the midst of war and by a hostile soldiery, not unaccustomed to flames, so scrupulously guarded as to excite the wonder of all of the community. It was afterwards learned by Mr. Minor's associates that this respect was not without reason; that for our great law teacher no man had a profounder admiration than did the head of the United States Department of War, Edwin M. Stanton, who had once, in close association as a lawyer, known Mr. Minor, and that from him, it was believed, had come the order that the very fountain of States rights and hot-bed of secession should be untouched while John B. Minor was there.

Miss M. G. McClellan, whose untimely death came not before she had added another jewel to the literary crown of Virginia, has left a name which will not fall into oblivion.

John Ott, Esq., once an active and deeply interested member of our Executive Committee when there was little encourage-

ment to work, has left us an example which will not be lost upon his successors.

Orin L. Cottrell, Esq., another and more recent member of our Committee, distinguished himself as a lover and collector of books on Virginia history, and showed how a man in the most active mercantile pursuits can interest and delight himself and increase the delight and refreshment of others by devoting time and money to the preservation of the history and antiquities of his State.

Judge John Handley, of Scranton, Pa., gave proof of his interest in Virginia not only by being an active member of the Society, but by the splendid gift of a public library to the town of Winchester, Va.

Mr. W. Noel Sainsbury, of the Public Record Office, London, an honorary member and a warm and active friend of the Society, who was always ready to perform any service for it, will receive at the hands of our Corresponding Secretary an extended notice in the forthcoming number of our Magazine.

Time would fail us to make an extended notice of all our departed associates, but of each one there might be presented good reason for the esteem in which they were held when with us, and for deploring their loss to our Society. They are :

Rev. W. T. Richardson, D. D., Richmond, Va.

Col. E. M. Heyl, of the United States Army.

Capt. P. B. Hooe, of Alexandria, Va.

Sheldon Reynolds, Esq., of Wilkes-barre, Pa.

W. F. Spotswood, Esq., of Petersburg, Va.

Col. John E. Penn, of Roanoke, Va.

Hon. Emory Aldrich, of Worcester, Mass.

In conclusion, your Committee cannot but feel encouraged in our work. The magnitude of it increases as we approach it, but with the example of our predecessors, who never faltered under the most disheartening circumstances, we have no reason now to look back. An opportunity is before us to meet a great

need. Our resources of material are practically unlimited and of the richest character.

We need, however, the means to carry on our work, though a rich return can and will be made for the amounts put in the hands of your Committee. With the numerous demands for State aid now pressing on our Legislature we have little hope of the assistance from that quarter which was proposed in our last annual report. We must, therefore, rely on our membership, who, knowing our necessities, will, we feel assured, not be found wanting.

The reading of the report being concluded, the election of officers for the ensuing year was proceeded with, and on motion of Mr. Rosewell Page, it was decided that a committee of five be appointed to prepare a list of officers.

The chair appointed as members of this committee, Mr. Rosewell Page, Judge George L. Christian, Jackson Guy, Rev. J. Calvin Stewart, and R. A. Lancaster, Jr.

The committee then retired, and prepared the following list of officers, who were elected:

President—Joseph Bryan, of Richmond, Va.

Vice-Presidents—Dr. J. L. M. Curry, of Washington, D. C.; Archer Anderson, of Richmond, Va.; William P. Palmer, M. D., of Richmond, Va.

Corresponding Secretary—Philip A. Bruce, of Richmond, Va.

Recording Secretary—D. C. Richardson, of Richmond, Va.

Treasurer—R. T. Brooke, of Richmond, Va.

Executive Committee—Lyon G. Tyler, of Williamsburg; E. V. Valentine, C. V. Meredith, Barton H. Wise, William G. Stanard, B. B. Munford, R. H. Gaines, William H. Palmer, Virginus Newton, R. L. Traylor, of Richmond; Charles W. Kent, of the University of Virginia, and E. C. Venable, of Petersburg.

Mr. Bryan briefly thanked the members for the honor con-

ferred upon him, and spoke of the great responsibility resting upon the President of the Society. He urged upon the members a change of the constitution, that no presiding officer be elected for more than two or three terms.

Hon. Thomas F. Bayard, Ambassador of the United States to the Court of St. James, was elected an honorary member.

On motion of Mr. R. H. Gaines, the following new members were elected: Mrs. Eliza Lewis Potwin, Chicago, Ill.; Henry D. Spears, New York city; University of West Virginia, Morgantown, W. Va.; A. W. Sims, Mt. Vernon, Mo.; Colonel George Wayne Anderson, Richmond; Robert S. Beverly, Cloverport, Ky.; James S. Pirtle, Louisville, Ky.; Mrs. William F. Spotswood, Petersburg, Va.; Mrs. Lucy F. Burnham, Renick, Mo.; Professor Mitchell Carroll, Richmond College.

Professor Lyon G. Tyler reported on behalf of a special committee, that the Secretary of the Commonwealth and the State Librarian had readily agreed to publish the "Minutes of the London Company" as the next volume of "the Calendar of Virginia State Papers," at the expense of the State.

Mr. Gaines introduced Colonel William Lamb, of Norfolk, who briefly addressed the Society. He introduced himself as the President of the Virginia Alpha of the Phi Beta Kappa Society, of William and Mary College. He said he begged of the Virginia Historical Society for the return to his society of its original records, now in possession of the Virginia Historical Society. He gave an interesting sketch of his chapter of the Phi Beta Kappa, that had recently been revived, and from which the similar societies of Yale and Harvard had their origin.

On motion of Mr. C. V. Meredith, it was decided to turn over the records, with the provision, however, that if the society should again go out of existence that the valuable documents might return to the Virginia Historical Society.

Mr Rosewell Page offered the following, which was adopted:

Whereas, this Society has heard with unfeigned sorrow of the illness of its distinguished member, Dr. William P. Palmer; therefore, be it

Resolved, That this Society hereby tenders to him its sympathy in his sickness, with the sincere wish that he may soon be restored to health and to the councils of this Society, in which he has so long been a valuable and conspicuous member.

Professor Lyon G. Tyler was then introduced, who read a paper upon "Some Leading Features of Colonial Life in Virginia." This essay was full of wit and highly entertained the audience.

At the close of Professor Tyler's remarks, Mr. Philip A. Bruce read a paper on "Virginia's Attitude in the Seventeenth Century Towards the Importation of Convicts."

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JANUARY 1, 1896.

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No. 3.

CULPEPER'S REPORT ON VIRGINIA IN 1683.

[FROM MACDONALD MSS.—VA. STATE LIBRARY.]

In the first part of the original of this report of Lord Culpeper, which bears the date of September, 1683, he replies briefly to each of the Instructions which had been given him on receiving his Commission as Governor, these replies showing in various aspects, though in a meagre form, the condition of the Colony at that time. We print only the closing portion of the report, in which the account is more extended and comprehensive. Some of this matter is of special interest as throwing new light on the Plant-Cutters' Rebellion, an event in the latter part of the history of Virginia in the 17th century only second in importance to the Insurrection headed by Nathaniel Bacon. The Rebellion, so called, took place in 1682, and it arose in consequence of the failure to secure a cessation of tobacco culture by the co-operation of the tobacco raising Colonies. In consequence of the great quantity of tobacco produced, it had sunk to a ruinous price. The necessities of the people drove them to desperation, and they resolved upon a forcible cessation, so far as Virginia was concerned. The growing tobacco of one plantation was no sooner destroyed than the owner having been deprived, either with or without his consent, of his crop, was seized with the same frenzy, and ran with the crowd as it marched to destroy the crop of his neighbor. The tumult reached its height in Gloucester county, but extended to Middlesex, New Kent and York. The commotion was finally put down by the militia. It was estimated that ten thousand hogsheads of tobacco were destroyed.

I shall acquaint your Lords^{ships} with what I have done in Relation to the Commission dated 27th Novemb. last, and the sev-

erall orders of Councill dated since my Instructions, and all other things of moment transacted by me During my Continuance in my Government and on my comming away.

1. As to the commission, with the order of Council, against Governours taking presents, or raising monyes for them I caused them to be read publicly in the Face of the Country at the opening of the Generall Court; For the Commission I have pursued it exactly except in Two particulars, 1. In issuing out a Generall pardon for Plant-cutting, w^{ch} was found to be Treason, when I was thereby restrained from Pardoning Treason at all. To w^{ch} I answer, That I verily believe there were many persons Engaged in it, who though they knew they did amisse, Did not thinke or intend to commit Treason, but onely to raise the Price of Tobacco and were inveigled to doe the same by letters from such Merchants in England as had bought up Great Quantities thereof at Home, and furnishing them with Goods and credit, had interest enough with them to persuade them to it, with a Designe of Gaine to themselves not the Planters. Now I was of opinion with the whole Councill, that after having asserted the Dignity of the Government in making two Examples of the same, nothing could be better done than to Compose the minds of soe many Seduced Anxious Subjects, and I dare boldly averre the peace and Quiet of the Country, and the Great Croppe of Tobaccocoe there, is owing chiefly to that proclamation, w^{ch} was Expected long before it was published. I humbly begge leave on this occasion, to represent to your Lords^{ships} the necessity of a power in the next Commission there shall be occasion to take out to pardon such kinds of Treasons w^{ch} you may restraine as you think fit by Instructions, for all Governors there have always used it. S^r Henry Chichely* Issued out a Generall pardon in June before

* Sir Henry Chichley was, as appears by a letter written by him in 1682, a brother of Sir Thomas Chichley of Wimpole, Cambridgeshire, who was a member of the English Privy Council and Master of the Ordnance. Sir Henry served in the Royal Arms during the civil war, and came to Virginia in 1649. It appears from the English State Trials, that when about to sail for Virginia he was arrested, "being casually in the same inn" with a person who was charged with plotting against Cromwell. He was, however, released after a short confinement in the tower. He was a burgess for Lancaster county (then including Middlesex) in 1656;

for all Treasons and felonies, and other Crimes to all in the field that did forthwith lay downe Armes, and it had a good Effect, and the Government will be exceedingly cramp't without it.

2. In appointing Mr. Secretary Spencer president, when Col Bacon was first named in the Instruction, To w^{ch} I answer first that Col Bacon was extremely averse to it, to that degree that I was doubtful whether any consideration in the world would have made Him Accept it, I was apprehensive If I had acquainted him therewith that if he had found the Instruction Dated before the Commission (when as they are said to bear equall date) He might not onley have excused himself from it, but hindered others from accepting it, and put a stoppe on the whole thing. Second, The Secretary is a Patent officer, from the first seating of the country, the very next in Dignity to the Gouvernour or Commander in Cheefe, and it would have created various Discourses and thoughts if any other had been it, there having been Instances of a Secretaryes having been President, nay Commander in Cheefe in the absence of the Gouvernour. And Thirdly, I looked on their fitness soe equally, and believed them both soe good men, that I thought it Indifferent who was it of the two, onely Mr. Secretary had less private businesse, and more Leisure, and Assured me that he would not stirre from James Citty or a little plantation he hath within 3 or 4 miles of it, till he heard from me out of England, uppon my promise to make Him some allowance, for his absence from his family and losse in his Domestick Concerns, To this adde that not having been called to the debate of who should be named first in the Instructions, I thought the ranking of them to be onely Accidentall, and not uppon an exact consideration of the fitness of each

was sworn a member of the council April 15th, 1670, and continued a member of that body until his death. In 1675 he commanded an expedition against the Indians. In 1674 he was appointed deputy-governor, and in absence of the various governors was frequently the acting executive. He married Agatha, widow of Ralph Wormley, of "Rose-gill," Middlesex, and daughter of Richard Eltonhead, of Eltonhead, in the county of Lancaster, England. Whether he left issue is not known. He died February 5th, 1682. A record at Somerset House shows that his will is not recorded there, and if he made one it is not recorded in Virginia.

one, of w^{ch} I Could give instance in a more unproportionall (though remote) nomination. As to the order of Councell about Governors I had a mocon of presenting me with 20 lb. of Tobacoe p Head made to me on the 18th Decemb., (when as I received not the order till the 3rd day of March following) w^{ch} I not onely declined, but suppress with scorn and silence.

3. As to the order of Councell Concerning Mr. Sandys and Mr. Broune, Besides other most materiall objections that it is Lyable to, I found the case extremely wrong stated, And am most Confident that since 1662, there hath been noe Allowance made to any person whatsoever, on the Contrary denyed to severall, who have been more modest, lesse obstinate, and of better Behaviour then the said Mr. Sandys, who hath been personally rude to me at severall times, even beyond all patience, and had I not been Gouvernor of Virginia I would not have endured it. You will find the thing particularly answered by the Councell of Virginia 13th March last, soe that I shall adde noe more, but acquaint your Lords^{pp} that I have received more trouble in this, than almost any one thing in my Gouvernment, and that onely by not being made acquainted, or heard before the passing the order, a method that I hope will not be practised hereafter, for it can have noe good, but be the occasion of several Inconveniencies.

4. As to the order of Councell of the 13th July, with that part of the order of the 17th June that concernes the stores. The Norwich Fregat never came to Virginia nor any other, and I fear there will be soe ill an Account given of them, that I resolved not to sell or Dispose of any of them or intermeddle therein further then I needes must and as is before specified.

5. As to the Rest of the said Instructions that concerned Plant-Cutting in 1682; Mr. Beverley, the restraint on Planting Tobacoe, with the letter of my Lord Baltimore, they all relating to the same Business, you will please to accept of this short narrative. The very same evening that I arrived in Virginia, viz. Saturday 16 Decemb. last, I went a shore, and hearing the Assembly was still sitting, but soe near a Conclusion that every thing was writing out faire in order to be enacted I sent an Ex-press to give notice of my arrivall, with a prohibition to proceed further, till I was acquainted and satisfied with what was

done. The next day the Councell attended me at Green Springe, with the Speaker, whom I ordered the same evening to send me an account of the proceedings of the House, and to adjourne the same till Monday at 10 in the morning. I was the said Monday by 7 at James Citty, attended with a full Councell, in the afternoon the House in a full Body complemented me on my Arrivall after w^{ch} I fell into Business, and having made alterations in almost every one Act of the greatest consequence, rejected all things they intended for their favorite Mr. Beverley, Denied to pass any one order (though from the first seating of the country to that day, noe assembly had ever sate without passing order) and devided the one halfe of Mr. Buller's* forfeited Deer skins amongst them as Enformers as I have hereinbefore expressed, w^{ch} they carried in triumph home with them to their respective counties whom they represented, I Dissolved them with a speech against Plant-Cutting, all w^{ch} will more fully appear by the Journals of that Assembly.

Though I passed the said lawes, scarce one of them had my Entire Approbation, and I believe Few will have your Lords^{hp}. But the Assembly having sate soe long without doing anything, and my First and Cheefe Businesse being to make an example of Plant-Cutting, I thought it more for the Kings service that the Dislike should come from England then from me, especially having taken out the sting of them, and brought them to be rather not Good than Bad.

On the 10th of January I called a full Councell and strictly examined the Businesse of Plant-Cutting, and all the evidences relating thereunto, By w^{ch} It most plainly Appeared, that the Vigorous advice given by Mr. Secretary Spencer for the securing the person of the said Mr. Beverley, and the faithfull and Courageous execution thereof by Major Gener^l Smyth (though to his owne very Great losse of 2 or 300 lbs. by the Rabble cutting up his Tobaccoe plants within two days after out of spite) was the cheefe cause of the peace and quiet of the country, as well as lucky to the said Mr. Beverley himselfe, who had he

* Richard Buller, merchant, of London, whose agent in Virginia was John Herbert (*Sainsbury Papers*), probably a kinsman, as John Herbert had a son named Buller Herbert.

been at liberty had in all probability been ingaged therein, whereas uppon the utmost scrutiny, I could find noe proof of anything against him, But only rudenesse and saucynesse and an Indeavour to compasse his ends by prevailing on the easynesse of an enclining Gouvernour, and causing S^r Henry Chicheley to stoppe shippes, To countenance petitions for an assembly, and afterwards to call an Assembly Contrary to positive Instructions, and the Expressse Advice of the Councell, who at their very last meeting had agreed to a proclamation to Adjourn the Assembly till Novemb. But S^r Henry had noe sooner got his own house, then He was persuaded not onely not to sign it, but, ex mero motu, to issue out proclamations for its meeting in April 1682 following, without menconing the Councell therein, and yet pursuant to the above menconed order of the 17 June 1682, I put him, the said Beverley, out of all offices and Employments whatsoever untill his Ma^{ties} pleasure should be farther knowne. In the next place notwithstanding the severall Discouragements I lay under, by S^r Henry Generall pardon to all then present in the Field without naming who, wth in effect included all to that Day, and by his particular pardon to one John Suckler (the cheefe contriver and promoter of the said Plant-Destroying,) on condition He should build a Bridge neare adjacent and convenient to the Plantation S^r Henry lived in, for his performance whereof His son in Mr. Raufe Wormley* one of his Ma^{ties} Councell (with one Mr. Christopher Robinson) was security, and by His taking Bayle for the appearance of all the Rest, whereby He did not onely declare the same to be a Ryott and noe more since Bayleable But did that appear alsoe as slight as possible to the people, and though I was little used to the practical part of criminal matters yet according to Bradshawes and Burton's Case 39 Elizab, making the intent onely of a universall flinging up of all Encloses to be treason though it did not succeed, I found, a Fortiore, the universall cutting up and Actual Destroying of all Tobaccoc-Plants By Force and Armes, though none killed, to be treason alsoe (not onely by the 13th of this King, but even within the 25th of Edward the Third) and the Councell being Unanimously of the same Judgement, And the

* See *Virginia Historical Magazine* I, 115, 116.

Evidence most Plaine, I some time after committed the persons of Sommersett Davies, Bartholomew Black Austen, Richard Bailly and Cocklin to prison for treason.

Having in the Interim on the 13th March issued out the two proclamations about John Haley, and the Impannilling Grand Juryes &c, I caused them to be indited and tryed the next Generall Court, according to the usuall Formes and Methods, where notwithstanding the noe small Endeavours of some to imetate Ignoramus Juryes, and the High words and threats of others, Both Grand and Petty Jury (as great in every respect if not the greatest that ever was Impannilled in that Colony) Found the three First Guilty, But the Evidence not coming up soe full against the last, He was acquitted. Of the three condemned, I ordered the cheefe Sommersett Davies to be Executed during the sitting of the Court, and Black Austen before the Court-House in Gloucester Country, where the Insurrection first broke out, and where the Justices had too much inclined that way, But for Richard Bailey, He was Extremely young not past 19, merely drawn in, and very penitent, and therefore having soe fully asserted the Dignity of the Gourvernment in the Exemplary punishment of the other two to Deterre others, I thought fit to mingle Mercy with Justice, and Repreeved Him, promising to Intercede with His Ma^y, not onely to pardon his life, But to restore the little Estate He had alsoe, To the End the whole Country might be convinced, that there was noe other motif in the thing, But purely to maintain Gouvernment and their owne Peace and Quiet, And I the rather Inclined thereunto, and thought myself obliged in some sort to Grant the Generall Pardon alsoe, Because before my arrivall the crime was reputed even by many good men to be but a great Ryott onely and not treason, and if that had been the case, and a Ryott onely found, the Country could never have been safe, For then there could have been no punishment beyond Fine and Imprisonment, Both w^{ch} would be greater to the Gouvernment then to the offenders, For scarce one of them was worth a Farthing, and soe must be maintained, and there are in effect no prisons, but what are soe easily broken, that I count it a Miracle, The Foure I Committed did not escape, I am sure I was in paine all the while and would scarcely sleepe for fear thereof. In a word

I concluded soe the thing were prevented for the future, as I am confident it is forever, and that the Humour will never break out that way again, that all other particulars were inconsiderable to the Main Business. If your Lords^{ships} think there is not enough done, I have in purpose Excepted Mr. Beverley and others out of the proclamation, that you may proceed against Him, If you can, and the others if you will.

In this plan I think it most proper to insert, How uppon the Earnest Unanimous and repeated Addresses of the Councell, as most Absolutely necessary to the Peace and safety of the Country, and Especially at that time to countenance the Resolution of making an Example of Plant-Cutting, I did on the first day of January last, Adde Ten Souldiers and a Corporall, to the Sergeant and Eight Souldiers that had been kept up by S^r Henry Chicheley and the Councell ever since the first day of July preceeding, to make up Three Files with a Sergeant and Corporall in all, The charge of the Sergeant and Eight Soldiers (according to the Kings pay) with eight pence p Day for Fire and Candle amounted unto 0- 7- 6 p diem, and to just sixty nine pounds from the said first day of July to the first day of January last Aforesaid, w^{ch} I payd unto them without any deduction or abatement in ready money the Day after, I payd alsoe the said sergeant and Eight Souldiers together with the Corporall and Ten Souldiers taken on by me (making with the said Eight pence p Day for Fire and Candle just 0- 1s- 2 per Diem) Just before my Comming away the summe of one hundred Thirty seven pounds five shillings two pence In full unto the first day of July following All dry mony out of purse, and I have left monyes and orders with Mr. Auditor Bacon to continue the payment of them punctually the last day of every muster untill the First Day of January Next, w^{ch} doth make one hundred thirty nine pounds Ten shillings Eight pence more, and the whole 345. 15. 10. For the Repayment whereof I have drawne two Bills of Exchange on Mr. Foxe the Paymaster the one for 206.5.2. (being the two first summes put together) payable to Mr. Mecaiah Perry or order at ten Dayes after sight, and the other for 139.10.8. being the latter summe at Fifty Dayes to the same person, But in Regard I have not till now made your Lords acquainted with my Actings, I have Desired Him not to present them, that care may

be taken and order Given for Complying therewith, wth I hope will forthwith *be* done.

I did then also hire a sloop or vessel of sixty tuns for one year from first of January last to 1st of January next at 0.6.8 p Tun p Calendar month (His Ma^y Finding Powder Bullet and small Armes) and Contracted with the Master or Captain at 4.0.0., the mate at 2.5.0. The Carpenter at 1.15.0. and twelve seamen at 1.4.0 Each p month of Foure weekes as alsoe with a person to victuall them at Eight pence p Head p Diem all Cheaper then ever yet was donne in America on my undertaking to pay them punctually every three months my selfe, I enterd the Carpenter and three seamen onely on the fifteenth Day of January, and all the Rest on the seven and twentyeth Day of February following. The charge whereof until the First Day of July last amounted unto the summe of three hundred twenty three pounds three shillings six pence, wth I actually paid in ready monyes out of purse before I left the Country, without one Farthing deduction, together with fifty-five pounds four shillings I advanced to the victualler on account, For the rest of the victualling with wages and hire of the said vessel unto the 1st Day of January next amounting unto Three hundred Forty six pounds one shilling more, I have directed Mr. Secretary Spencer to pay the same out of the first monyes He should receive for me at the end of Each three months, and I dare Engage to your Lords^{hps} it will be most punctually performed, soe that I doe humbly desire and Expect your Lords^{hps} particular care for the speedy Repayment of the same amounting in all unto 724.8.6. without charge or Expense.

I have given such particular Instructions to the Captain Mr. Roger Jones both in relation to the 0.2.0 p Hogs^{bd}, and the penny p pound in Tobaccocoe, that if pursued will either prevent Frauds, and soe be worth that way much more then the Charge comes to, or else bring up Vessels and make seizures enough to re-imburse it. Besides I concieve my Lord Baltimore ought hereafter to contribute thereunto, For His Country receives as much security thereby in all respects as His Ma^{ties} Colony of Virginia, and I believe considering the situation of the Capes, and His passage through His Ma^{ties} Dominions He may be induced thereunto, Besides these, and a great many other advan-

tages, a good vessel will alsoe restrayne the unbridled liberty of Privateers pyrates (for the most part) who have of late been troublesome there to the noe small terror of the Inhabitants, and begin formidably to infest the seas thereabouts, Even to the disturbance of the trade with England. Your Lords^{lppa} have already had some account thereof, and How Two of them were repreeved after Condemnation, whereof His Ma^{ty}s Confirmation or Disallowance is expected, For being ordered before my Arrival, and the lives of men being in Question, I did not think fit to alter anythings or intermeddle therein, having enough to doe with the business of Plant-Destroying.

As to the power given me by the said order of Councell of 17 June 1682 about Tobaccoe with Mr. Secretary Jenkins letter to my Lord Baltimore relating thereunto, I have done nothing therein, and you Lords^{lppa} will now receive the said letter Back again, Had I effected either popularity or private advantage, I could have attained both, But Finding that I could keep Peace and Quiet without it, and that the last Assembly busied itself in other matters. I tooke advantage thereof, and never Discovered it to any one person whatever either there or here, on the Contrary I soe encouraged the Planting Tobaccoe this yeare. (as thinking it the greatest service I could possibly doe) By the Great price I gave for the same to that onely Intent, Resolving to loose (as I then expected and have since found to 150 lbs. or 200 lbs.) that if the season continue to be as favorable as when I left the Country, there will be a greater Croppe by farre than ever grew since its first seating, and I am confident the Customs next yeare from them will be 50000 lb. more than ever heretofore in any one yeare. Instead of falling as much if I had done otherwise. Sic vos non vobis, I know I did but my duty in Executing the trust faithfully, for soe I am sure I have donne and onely expect it to remaine a secret still, for not onely the vulgar, But the Councell fondly incline to a Restraint at Least, though not a Cessation as you may find in their state of the Country under their hands dated 4th Day of May last, And they may have hard thoughts of me for not helping them (as they will construe it though I do not think soe) when I could have done it. In a word the thing remains Entire, there is time gotten at least, this Great Croppe will the sooner bring them in

distresse again, and tis the most that can happen to doe it next yeare, supposing it would doe good, as I believe it would to none but the Engrossers of the Commodity at home. That His ma^y may have the full fruit of my labours, and your Lords^{ships} take timely care therein, I thinke fit to acquaint you, That the present Designe of those merchants here that have bought up Great Quantities thereof, they Can not prevent the Growing of it, or Destroy it there, is to Hinder or at least retard its coming home, Both by Discourageing shippes to Goe, and the Planters to shippe. I did (as I was Commanded) Record in the Secretaries Office, His Ma^ys order in Councell that the Lt Gouvernor shall have halfe the salary and Perquisites in the absence of the Gouvernor.

As to the order of the Commissioners of the Treasury to the Auditor, to Deduct 6. 10. 0. out of my salary for the charges of passing the last Commission of Addiconall Instructions sent after me, There was no money left in his hands when he received the same, so that it could not be obeyed till after the Audit, and there being enough due to me to answer the same, I did by my Warrant suspend the Execution thereof, till I shall be heard, as I expect to be, if that be farther insisted on, your Lords^{ships} will herewith Recieve an order of Councell in Virginia Concerning printing, to which your answer is humbly expected.

You will alsoe Receive severall papers about Capt^a Tyrrell carrying away by force Mr. Skevingtons servant (or rather his Estate) Tis a thing of vast Consequence in many Respects; The Kings Lieutenant will make a very ill figure (and be worse than a Cypher) if he serve onely to punish and cannot on Complaint protect His Ma^{ties} subjects in their legall properties. The matter is most plain and undenyable and tis the Kings and Countrys Concerne (not mine in the least) whose eyes are much fixed on the event of it, and will necessarily have a slight opinion of their Gouvernor if he be so treated in the Execution of Justice by every little Captain of a fifth rate, as well as Despaire of Redresse. Noe other man of War ever did anything like it, either in matter or manner. It will make the people afraid of the Kings Shippes, and I am sorry the eleven weeks loytering of that Captain was to noe better purpose. I am next to acquaint your Lords^{ships} that I have payd off and discharged the Quarters of

Major Muslowes Company, as in pursuance of an order of Councell and the Commissioners of the Treasuries letter to me in 1679 I promised the Country to doe. The last Assembly put me in mind of that promise, and to keepe touch with them in everything, I did doe it. Though I doe not doubt the Justice of the Commissioners in the least, yet I desire your Lords^{lpp} recommendations for the Speedy Repayment thereof and of my other Disbursements and Concerns. Your Lords^{lpp} will alsoe perceive by the certificate of the Commissioners for Disbanding the two foot Companies in Virginia a true copy whereof will now be delivered to you, How Great a sufferer I am by the short payment of my owne foot Company in 1680, when as long before I had payd them their full pay for that yeare, Soe that tis I am looser thereby, not they, and that for having donne Extremely well, and what nothing but Honour and the credit of my Gouv^{ernment} could have inducd me to doe, I am sure it is Extremely Just and reasonable, and I mencon it onely at present, that in case of Difficulty or Delay, I may have Recourse to you about it.

And lastly I herewith send your Lords^{lpp} the state of the country dated the 4th day of may last, under the hands of the Councell, as alsoe a proposall made to me by Col. William Byrd about the Indian trade, w^{ch} according to my maxims of a free trade, though to my owne Great losse, I have layd open, and is now desired to be restrained, I shall not presume to Deliver my Judgement thereuppon, I shall onely advertise you there are severall matters of Great Moment, w^{ch} ought to be well considered.

If I have omitted anything (as verily I believe I have not) I shall on the least notice give you a speedy account, and the best Information I possibly can, For noe one subject hath soe Great an Interest in that Colony as my selfe, or can be more concerned for the prosperity thereof, or if any further thing shall occurre to me with your knowledge, I shall take the liberty to acquaint your Lords^{lpp} therewith.

And now having Dispatched the Generall Court last Aprill (notwithstanding the Great Arreare of old causes, and that the Criminal ones tooke up halfe the time) In fewer days and with speedier Justice than ever was yet practised there before, and I hope as Good, since none would appeale, and that there ap-

peared a universall satisfaction, and finding the peoples mind soe settled, and composed with the management of affaires and the Pardon, That they thought of nothing but Planting Tobacoe, and that the same was Growne up beyond a possibillity of being spoylled by anything but an ill season, I Judged it a proper time if ever, to make a steppe Home this easy Quiet yeare, (not out of any Fondness to be in England, For my speedy Return back, and a winter Voyage would have much overbalanced any satisfactions my short stay could possibly have permitted me to Enjoy, much lesse out of contempt of orders, nor for any Reason Given by the Councell there, rather the contrary in severall materiall points, But) For the Kings service onely, as well knowing that the Great croppe there in hand, would most certainly bring that plan into the utmost Exigencies again next yeare, that a Gouvernors presence could ill be dispensed with, and uppon a full and true state of the case (the most important in every respect that can come from theme) to take such measures viva voce, with a due Consideration of all Interests, as might ease the Planters if possible, or at least prevent the mischiefs that must necessarily ensue, if due care be not taken therein.

I thank God I did not leave my Gouvernement in the least Distresse, But on the contrary in full Quiet and security, not in the hands of an easy Lieutenant Gouvernor, but of a prudent, able and Vigoruous Councell, for the conduct of almost every Individual member whereof I dare bee responsible, and for the Tenth part of what the Customes from theme next yeare shall exceed this yeare, will give Citty security to pay all damages whatever that His Ma^y shall receive thereby. Your Lords^{ships} will alsoe find by the orders of the 22nd May last, that the Councell there was of the same mind, and the care that was taken by me before I left the place, (without considering my selfe) in all possible events.

In a word, I do Affirme, uppon my Honour, and will Depose on Oath when required (and I believe most of the Understanding and Rich men in the Country will doe soe too) that nothing in the world that then occurred, could have conduced more to the Kings service, and the Peace and welfare of that Colony, then my Returne Home, soe as to have been back there

again about Christmasse, Tis true there was noe consideration had of a new Gouvernor, whose Greater abilities seconded with your Lords^{lpps} favour will Doubtlesse far outgoe my weak Endeavours, and yet what the witt of man can expect beyond Peace and Quiet (Especially after such Disturbances) and a Great croppe of Tobaccocoe from any Gouvernor living, is above my Capacity to comprehend, I shall mencon noe more on this Head, but to lett your Lords^{lpps} know that I have during my stay there, Executed my Gouvernment, and the Truths reposed in me, with all possible Faithfullnesse, and (as plainly appears) with noe ill successe, I doe not find myselfe guilty of any commissions at all w^{ch} may be prejudice to his Ma^{ty}, and I believe I have not omitted much, I am sure I have carried an equall and steady Hand between the King and my fellow-subjects, with none of whom I ever had the least contests, and I dare boldly say noe Disgrace, or Hue and Crye will ever produce one single complaint against me from any one person there, But I will be ashamed if ever there come any on Good Grounds, and I have found the loade of Gouvernment soe heavy, that (though I am not pleased with the methods) I can with as Great Franknesse and satisfaction be contented to be eased of the Burthen, as any other to take it up, soe as it be not donne with losse of Honour, for I have not Deserved the least Diminution imaginable therein, w^{ch} they I may not doe I humbly expect and Desire your Lords^{lpps} candid and speedy Representation of matters to His Ma^{ty}.

And last of all, whereas I heare from severall hands various reports of another Gouvernor, though I have received nothing of certainty from your Lords^{lpps}, yet if such a thing be, I desire, that due care be taken therein, that I may receive noe prejudice thereby, but that there may be such a Regulation, that his powers may not interfere with my concerns and dues, as alsoe that the six servants I have left in Virginia, with about twenty tuns of Goods may be brought back by the shippe that carryes the said person thither

Your Lords^{lpps} most obedient servant,

THO CULPEPER.

20 September 1683

DEFENSE OF COL. EDWARD HILL.

[WINDER PAPERS, VIRGINIA STATE LIBRARY.]

To the Right hon^{ble} Herbert Jefferyes Esq^r Govern^r & Capt. Gen^l of Virginia & one of his Ma^{ties} Comiss^{rs} for Virginia affairs.

To the hon^{ble} Sr. John Berry Kn^t Francis Morrison Esq^r his Ma^{ties} Comiss^{rs} alsoe for Virgin^a affairs.

Edward Hill, in answeare to diverse fals scandalous articles draune up against him by the hands, cunning, skill, & Industry of James Ming, & Thom. Blayton delivered yo^r honn^r in the behalfe, & as from the people of Charles City County,* humbly answearith:

May it please your honn^r

I cannot but with trouble & sorrow consider, y^t to be called to a barr, & to be charged wth severall Crimes & Misdemeanors, & clamour'd against by a route of people, how base, mallicious, envious, & Ignorant soever, it is still a lessening of reputation & darkening of good fame let ones loyalty, inocency, Justice, & integrity be never soe great, & through such black dismall clouds, yet how many examples doeth all eyes afforde of brave, wise, Just & inocent good men that have fallen under the lash of that hidra the vulgar, & though I know, & could Instance many examples of that Kinde, I shall not but only take notice (& by the by) because bound up wth me in the same booke & penned by the same penn) of the right hon^{ble} s^r Will^m Berkley K^t late Govern^r of Virginia, who by the Judg^{mt} of the moste wise of this country the severall grand assemblyes, hath been thought to have govnered this thirty odd years wth the moste candour, justice, wisdom, & integrity, that was possible for a man to governe, and more especially considering whome he had to governe, nevertheless now falsly clamoured ag^t since his departure, and give me leave to intimate to yo^r honn^r 'tis possible the same base, poore, lowe spirits would upon the

*See Charles City Grievances, *Virginia Magazine of History, etc.*, October, 1895.

like occasion callumniate yo' honn^m how wise & Just soe ever, but may it please your honn^m I have many hopes & incouragem^m that many (more worthy & prudent persons) have not had, the blessing of: first a most great, gracious, Just, & mercyfull King; Secondly that I am to give in my answeare to such honn^{ble} persons, from whome (I must owne to all the world) I have had a moste faire, Equall, & uninterrupted beareing, without the least discontinuance, although I am moste assured yo' honn^m eares hath been filled wth the clamours of mallicious men who have layde all manner of crimes to my charge, and indeed my inocency (of those designes of mischief layde to my charge) is a great incourag^{mt} to me, Although tis possible that in the course of twenty yeares twill be easy to finde many errors, and now may it please yo' honn^m I must pray that just favor, to looke upon me, as I truely am, a naked, unlearned & unskilled Virginian borne & bred who have not had the dress and learning of schools, nor have I the skill to Cloath vice like vertue, nor finde such excuses, as my most malliceous enemyes have done for theire faults, (when they accuse the R^t hon^{ble} S^r Will^m Berkely to excuse themselves) but shall answeare as with that unskilled Virginian nakedness, soe in truth & inocency, And doe make a moste serious faithfull promis to your honn^m that I will not insert one falsity in my answeare, though it were to save my reputation, Not abscond one truth, And soe wth yo' honn^m leave I shall beginn wth the first article:

Article. 1.

That besides the great quantity of tob^o Raised & p^d for the building & erecting of fortes w^{ch} were never finished, but suffered to goe to ruin, the Artillery buried in the sand, & spoiled w^{ch} rust for want of care, the Ammunition Imbesel^d as asore^d great quantities of tob^o hath been raised one us his ma^{ties} poore-subjects, besides worke houses, store houses, & other houses for the propogating & incouragem^t of handycraft, and manufacture w^{ch} were by our Burgesses, (to our great charge and burden by theire longe & frequent sitting) invented & proposed, yet for want of due care, the s^d houses were never finished, nor made use of, and the propogating of manufacture wholly in a short time Neglected, And noe good ever effected for this his Ma^{ties}

plantation (save the p'ticular profit of the undertakers who as is usual in such cases were large rewarded for thus defrauding us): thus the sume of Eleven Thous^d pounds of tob^o was rayسد in this County for erecting a tannhouse for the County, wth Coll^o Edw: Hill the father rec'd: & Coll^o Edw, Hill the sonne enjoyed & converted to his own use, wthout any acc^t or satisfaction thereof given as we can finde but by the Courte of this County discharged & we utterly defrauded of the same.

In answeare to wth The proem of the first Article hath its malignancy & reflects upon the Rt. honn^{ble} S^r Will^m Berkley, & ye Grand Assembly of Virg^a taxing them with folly, weakness, and ill governm^t (wth how unjust soever) it is not my busness to defend, neither am I of partes fit soe to doe, though I stand amazed at the Imprudence of such spirits that would criminate all the world that they mought seem to finde an excuse for their oune evils; Their charge to me is the Eleven thous^d p^d to and rec^d by my father, and enjoyed by me, & converted to my oune use.

Tis true, that in the year 1660: there was an Act made Enjoyn- ing every County in Virg^a to erect and build a tannhouse, to provide curriers, shoemakers, tanners, barke &c: And all things fitt for a tann work as by the Act may appeare, wth this county taking into consideration the vaste charge that would accrue to the County thereon (wth the discontented peeple would extreemly murmur at) agreed wth my father to give him Tenn Thous^d p^d of tob^o and caske to fulfill that Act, for wth my father undertakes it, & to p'form the Act wth all its parts, confessest Judgm^t to the Courte for 20000 b tob^o soe to doe. In order to the p'formance of wth he set sawyers to worke for plank Carpenters to build a house, & others to digg tann pitts &c: but before he could finish the worke, or receive his tob^o (in the hands of Anthony Wyat, the then Sher:) dyes; after whose death (wth was about Christmas the tob^o being rayسد the Septem^r before) the courte moste powerfully & severely calls me to acc^t because the worke was not p'formed. I offered to ingage to comply wth my fathers bargaine, and would indemnify the County, p'form the Act, but this would not please, but I must deliver them the Tenn thous^d p^d of tob^o raised for my father, wth in truth I must confess, I have repented I did not doe, because I could never get the

greater parte of the tob^o, but I considering the charge I had been at, wth must be p^d for, and tob^o my father had rec'd of the upper county on the same terms, and ye prospect, and hope, of the profit mought be had the worke being once done, made me oppose the desires of the Courte, but after much struggling and many contests (although I took it to be powerfully done, and extorted from me a young man newly come into the world) I came wth the Courte to this agree^{mt} as by theire order Octob^r the 22th 1663, may appeare, that I was to finish the Tann-house and Indempnifie the County, as p former agreem^t wth my father & yearly to pay unto the County one Thous^d p^d of Tob^o untill the Tenn Thous^d were reimburs^t, wth that yeare, that Octob I began, & reimburs^t the County one Thous^d, and soe continues the yeares 1664: 65 & 66: to pay yearly one Thous^d p yeare but in 66 thus it happened the Magistrates that had taken the list of tytheables in theire severall p'cincts, were some of them dead, & others removed themselves from that trouble, other new were appointed in their roome to take lists as usuall but they by mistake, listed into one anothers p'cincts, soe that thereby they overlisted the County aboute forty tytheables to the best of my remembrance, by wth list the levy was layde upon the County, and there being that yeare due to me a quantity of tob^o (to the best of my remembrance foure or five thous^d) wth by me being demanded of the sheriff; the sher. told the mistake of the Tytheables, & that there was not tob^o enough to satisfy me, I complained to the members of the Courte, And in feb. 66 the Courte meets, and upon theire Consultation & Consideration, Cutts me off as much of my due as there was surplussage of Tytheables, considering that the raising of more tob^o would be a great heart-burning to the people & wth all considering how hardly & powerfully I had been delt wth all in making me pay that tob^o and considering the ready tob^o I was not obliged to pay, they then discharged me from the full of the tenn Thous^d wth I was to pay yearely, I still p'formeing the act and keeping the tannhouse at work, wth I did doe and p'form from 60 till about 72, when by accident my tannhouse was burnt to my losse above Two hund^d pds sterl.; all which will appear by evidence. and indeed as to the repaym^t of the tob^o at one thous^d p. yeare, had I it in my hands, I should take to be a forced Act and should not

pay one pound thereof, unless the law compelled me, thus have I, though too largely finished my answer to the first article.

Article 2^d.

That the Comissⁿ or justices of the peace of this county heretofore have illegally, and unwarrantably taken upon them wthout our consent, from time to time, to impose, raise, and assess, and levy, what taxes, levyes, and impositions upon us they have at any time thought good, or best liked, great parte of w^{ch} they have converted to their own use, as in bearing their expense at the Ordinary, allowing themselves wages for severall businesses w^{ch} ex officio they ought to doe, and other wages, as p. acc^t of same on the books for levyes may appeare.

To the second Article,—I cannot tell in what parte it concerns me, for I doe seriously protest. I never did to iny knowledge either raise tob^o illegally, or unwarrantably upon the peeple, neither have I at anytime allowed myself one farthing wages for any act whatsoever done for the peeple p^r the order of courte that ought to be don ex officio; or indeed any otherwise, but as to that of bearing the expense of the Ordinary, I say that on the fourth day of feb: 1672: at a court held at Westover, I made an agreement wth the Courte of Charles City County: as by their order of agreem^t will appeare, to finde, allowe, and accomodate the s^d Courte and their imediate officers, wth handsome, wholesome, and conven^t dyet seven Courts in the yeare, and also every courte to finde and allow unto the s^d courte, one case of good brandy, or good wine. In Consideration whereof the s^d courte did oblige themselves to pay unto me the sume of Eight Thous^d p^{ds} of tob^o and caske p yeare, how this is a grievance upon me, I cannot inagine, if the Courte hath levyed the tob^o upon them w^{ch} they ought to pay themselves, tis their crime, not myne, but may it please yo^r houn^{ts} about the same time it was in practice in severall counties in Virg^a to raise on the county such sums of tob^o as they were willing to allow for the accomodation of the Comission w^{ch} was looked upon to be an agrievance, complained to the Assembly off, and was by a act of Assembly redressed, since w^{ch} there hath been none raised in our county, and when it was first raised it was with the consent of the peeple.

Article 3^d.

That the sume of twenty five thous^d p^{ds} of tob^o was raised in

this county on us his ma^{ty} subjects, and p^d to Coll^o Edw. Hill and others, for mending and clearing the highways wth we ourselves at our owne charge and laboure were forced to doe, he the s^d Hill and they converting the s^d tob^o to their own use wthout any allowance, or acc^t for the same to us.

In answeare to the 3rd Article :

I answeare, that in or about the yeare 60 : when Coll^o Morison was Govern'r, there was an act enjoyneing the clearing and mending the king's high ways forty foot broad the countrey throughout, at wth time to the best of my remembrance I was Sher: of this county, and had by an order of Courte a p^cinct allotted me, to see & have cleared & mended, & a proportion of tob^o allotted me to pay the workemen wth wth high ways I did soe cleare mend, and did pay wth that very tob^o the workemen for the s^d worke, and severall families wth in my Precinct worked out that tob^o wth should have been raised upon them, as Maj^r Jno. Stith's for one, and if any one wth in my p^cinct can testifie that the workemen were not p^d: I willingly pay all the tob^o allowed me for p^rforming the s^d worke, but to give an Exact acct. how many workemen were employed, who they were, and how p^d tis impossible for me to doe, first because tis of seventeen yeares' standing and unreminded by me, as to be called to acc^t for it, but more especially because that in this late horid mischievous rebellion, the rebells have taken my papers and most villainously have burnt and destroyed them, and amongst the rest besides those papers—deeds, leases, p^ttents, bonds, bills, and acc^t to the value of at least, forty thous^d p^d of tob^o, soe that I can give yo^r houn^{ty} noe other acc^t neither was I concerned in the raising thereof being Sherif.

Article 4th :

Charged against me is soe notorious an untruth that they themselves cropt it out, and though they have a great stock, yet had not confidence enough to read it, and therefore shall have no answeare.

Article 5th :

That this county having been illegally taxed, and forced to pay the sume of thirty-three thous^d three hund^d twenty-two p^d tob^o or very neare thereabout for erecting a small house wth in the judgm^t of knowing workemen mought have been done for

less than Tenn Thous^d p^d tob^o, of w^h s^d sume of 33322 lbs. tob^o Twenty-one Thous^d Three hund^d seventy-three pds. was p^d to Coll^o Hill afore^{ed}, the remainder of the said sume was p^d to severall others for the frame of the s^d house, boards, covering, bricks, & Brick: layers' & plaisterers' worke, lime, shells, hookes, hinges, dovetailles, & for workemens' provisions & the worke of oxen; w^h said house was first pretended for the accomodation of the Justices, the s^d Coll^o Hill the younger having by the severall sumes of tob^o thus rec^d, and gained as afore^{ed}, obtained a stock whereby to enable him to set up an ordinary, pr^vails w^h the s^d Commissⁿ first severally and aparte, then together in courte to constitute the s^d house a prison to the end he mought have the use of the same to vent his drink in, and to constitute him Guardian, Warden, or Jaylor, of the prison & to grant him a lease thereof for twenty-one years. And not herewth contented he the s^d Hill minding coveteously to enrich himself by defrauding us his Ma^{tyes} subjects, trust divers poore idle dissolute persons w^h quantities of drink at his ordinary w^h at his extraordinary rate came to great quantities of tob^o more than they were able to pay, and then suing them some to judgm^t or w^h we rather believe combining them rather to confess judgem^t for the said debts, and then causing them to be taken in Execution and he himself Jaylor as afore^{ed} suffereth them to escape, and then compels us his Ma^{tyes} subjects to pay the debts to the great impoverishment of this county.

To the 5th Article I answere, that at a courte held at Westover in Aug^t the 6th, 1672: the courte entered this as their order & agree^{mt}. It is agreed by the Justices and Major Edw. Hill that he forthwth finish the house already begunn at the Courte house and ceile and glaze the same, And erect one brick chymney w^h two fire hea(r)ths, and the charges thereof that he bring into the courte for allowance &c.

According to w^h agreem^t I employed workemen, procured boards, made Bricks, found lime &c: And in fine finished the s^d house, and bought tables, formes & stooles, as p their directions and as p acc^t. will appeare, w^h acc^t of the severall charges, to the Bricklayer for building the chimney, and for filling & white liming the house, to Mr. Place for ceiling boards to Mr. Geo. Harris for Brickmaker, to Mrs Ann Bland for nayles, and shells

&c: and to Cap^t Southcot* for dyet, &c—the courte viewed, considered, and allowed to the severall p^{rs}ons here nominated, and p^d it themselves, wth I was never concerned wth. To the the carpenters, & labourers, oxen, timber, and all other necessaryes, a p^r acct, will appeare amounting to the vallue of thirteen Thous^d foure hun^d & thirty p^{ts} of tob^o & caske wth the courte allowed me and how this comes to be a crime in me tis beyond my apprehension, for if the courte thought it not reasonable it lay in theire power to deny the paym^t: and stand a suit at law, for the acc^t, I will, if required make oath to every article, and I pray yo^r houn^{ty} to take this into yo^r consideration, that tob^o in those times was worth but five shillings p. hundred, considering the loweness of the price then, and the price it usually bears, the rates charged for worke are not so extraordinary, neither am I concerned in the raising of it upon the people, being the party aggre^d wth all to doe theire worke. And as to the p^rtence that it was first intended for the accomodation of the Justices and by my wit and cunning turned into a prison, it signyfyys nothing, for whether it were a prison, or a house of accomodation for the Justices, if they leased it to me it was of the same use to me, but indeed I thought it moste reasonable it should be a prison, because the law enjoyned every county to build a prison on a penalty, and this county had none 'till then. And whereas I am charged to be covetously minded to enrich myself by defrauding his Ma^{ties} subjects, I am in a study wth way it should be, and in what I have done it; Tis possible that they I have entrusted with the sale of my wine and drink and ye keeping of my ordinary, have trusted some poore men, beyond what I have been willing, to my losse, that I have ever sued or been severe In execution I must utterly deny, for in this twenty years (I am very confident) I have not sued tenn persons although there is scores have been my debtors, & severall of them in seven yeares never p^d me, and I am sure of all I ever arrested, I never served execution but on two in my life, on one of wth they Ground this clamour, the story to the best of my remembrance is thus:

* Captain Otho Southcoat is mentioned in the Byrd land title book as being a resident at Westover, an attorney for the owner, Sir John Paulett.

About Aug^r 1675 one Will^m Steward became my debter six hund^d thirty three p^d tob^o & caske, and was alsoe one Merridith Davis debter three hund^d p^d tob^o & cask, Merridith sues him, and being in some feare of the fellowes running away, I doe soe too, we both have judgm^t. Merridith taketh out execution, and I the like, he is put in prison and there some time remains. I offer him to take the whole debt to myself, if he could finde any security to pay his debt in a yeares time, he breakes prison and makes his escape, Hue and crye pursue him but to noe purpose. At the next Levy Courte I put the case to the Courte, that considering there was a sufficient prison built according to law, that the keeper had faithfully done his office, and yet the prisoner had escaped it were their judgm^t that the Warden or Keeper should pay the creditor or the Cred^r loose his debt, there being noe fault in the keeper, or prison, or whether in such cases the county should make good the debt, and not put the losse on one man only, and prayed that they would please to give some rule in it, the Courte considering the rarity of the case heere in Virgin^a & the smallness of the sume, it being little more than one p^d of tob^o p pole resolve to raise it on the county, wherein yo^r houn^t may please to take notice, that the Justices raise it as well on themselves and their estate & families as on the other parts of the peeple, but how, and why this is my particular crime I am yet to understand, for in this case the Courte acted, consulted, and resolved, wthout me, being a party in the case. Thus have I moste truly wthout cunning, or falsity, answered to all the crimes and misdemeanors, that the mallice, wit, cunning, & industry of my most ingenious enemyes could heap ag^t me during the space of nineteen or twenty yeares, that I have sate a Justice in the Courte of Charles City county before the rebellion. And now may it please y^r houn^t I must begg yo^r testimony that I did then when I had Extemporily answered these foregoing wth the following articles demand of all the peeple and challenged them to charge me wth one unjust sentence, or the taking of a bribe or for any misdemeanors in my office civil or millitary, wth they then, and there could not; nor did doe.

Article 6th.

That in or aboute the 25th of January laste paste when the

late comotions were appeased, & quieted the s^d Edw Hill wthout any Warrant or authority unlawfully tooke upon him to raise by impress a company of men wthin this County to the number of thirty horsemen wth their Armes, whome .he presumptuously did take upon him to Command, and lead out of the County, and Continued to lead them into divers partes of the Country at his will & pleasure and aboute his proper private occasions to the great vexation & oppression of the s^d men, & contrary to the peace, and it hath been frequent wth him to impress men in his ma^{tie}s name when he & his friends were going abroade on their proper occasions to be merry to rowe the boate, to their great oppression.

And now may it please yo^r houn^{ty} I am come to answeare for my not being a rebell, for it is moste evident to the meanest capacity, that had I been as notorious a villain & rebell, as those my accusers, and wth them adhered to that grand rebell Bacon I had not had any of those Clamours brought ag^t me, for I am charged to answeare for those very acts of loyalty and obedience, I did by the comission of the R^e hon^{ble} S^r Will^m Berkeley then Govern^r and Capt. Gen^l of Virgin^a, And it makes me stand amazed to thinke (that such p^rsons soe criminall as themselves are) from whence they should have a prospect of hope, that their actions in this kinde should be countenanced, I must confess had I taken the Counsel & advice of Blayton, when he came over to me (the first day of Bacon's and ye peeples rising in armes) to persuade me to join wth him (telling me I should gaine the love of the people, otherwise I should have their hate) it would have saved me a hund^d and odd thous^d p^d of tob^o wth to any unbiassed p^rson I can make appeare I have loste, besides the being kept out of my debts. And when I told him my opinion that it would fall like the rebellion in England, that the Govern^r and gentlemen of the countrey, would be ruined, he gave me for answeare the people of England had some reason for some of their rebellion, and when he found that would not take, would then have p^rsued me not to have sent the amunition according to Act of Assembly (thereby to put it in the Rebell's hands who then threatened to take it) enveighing ag^t the Lawes, as foolish & noe way for the safety and p^rservation of the Countrey, (wth discourse abroade wthout doubt gave life

and vigour to the rebellion) after wth in June Assembly was Bacon's great engin, in so much that he would have had Capt. Tho: Gardner downe in his knees in the head of Bacon's Army, and I aske Bacon forgiveness for takeing of him by the Govern^r Comission, & after Bacon had forced his Comission, he waites on him in Armes, procures a comission for his deare sonne that notorious condemned villaine Joanes & Mr. Biss, &c: Alsoe a good Justice in administ'ring and takeing Bacon's Oathe wth great zeale, after this writes Bacon's declarations for him, and yet after Bacon's death becomes Ingram's representative and Chayreman of them, and when he found the rope of sand would breake, and all the Countrey in a manner subdued, then thinks it time to shuffle in for a pardon; and truely Mr. Ming's just such another Bacon's Great friends in formeing the lawes, and letter in June Assembly, where he was clerke as the other Burgess, and to shew his true zeale to the cause uncomanded (and direct contrary to the Govern^r proclamation) waites on Ingram's called representatives, and there officiates as clerke, and all for the servis of the King and Country, though direct contrary to his houn^r comands, and now (my hand is in) let me begg yo' houn^r patience to tell you the merits & worth of the subscribers, for though there was more chosen, onely seven subscribed, and for Mr. Biss, besides the giving and takeing Bacon's oathe he was one of Bacon's Captains, led men to Toune in Armes, when the Govern^r came first from Accomake, and though he then ran away as well as the rest, yet after that tooke new courage and raised men to oppose the Govern^r and that (wthout couller of power, or shew thereof) (as they charge me) from his Gen^l Wyat from the beginning as opposer of the Govern^r comands as by his letters to me will appeare, but when Bacon had his comission tooke about forty soldjers, his drum and coullers, and waites on Bacon to the falls, where his drum, coullers and soldjers are taken from him, and the gentlemen sent back naked wth shame; Mr. Duke was one of Bacons good Justices in hastening, forwarding, taking and giving, of Bacons oathe, and because Bacons Capt. Nevet Wheeler, should not want force to fight & destroy the Govern^r soldjers, sends two of his oune servants that shed the first Christian blood, and alsoe before that sent one to goe wth Bacon the Occaneechee march, and for Mr. Bernard Sykes, he was Mr. Blands great friend in helping him

to raise men to force the Comission, And after that to be one of Ingrams representatives and all for the Kings good servis as for Mr. Grendon although he was not in the country, yet his good wife was, & therefore is engaged, but I shall be silent, and let me begg yo' houn^m not to blame me for onely touching the faults of these my enemyes, when yo' honn^m see it is, and hath been theire study soe falsly to criminate me. And now by yo' houn^m leave, I will come to the 6th Article and the first since the rebellion, & indeed they have cleered before they began to accuse me by Charging it on the Rt. houn^{ble} S^r Will^m Berkley but how truely let the world judge.

In answeare to the 6th Article—

I must wth trouble and sorrow say that I am grieved to see the spirit of rebellion soe strong and fresh in the hearts of these people that would make it a grievance of the County for to obey those just comands wth I received from his houn^r, and I should think theire true grievance should be that they were soe active and mischievous as they were from the beginning of the rebellion to the end thereof, and were the first that against the King's Govern^r comands went out upon the Occaneechees, were the very men to help Bacon to force his comission, and marched a hundred miles out of theire own country as low as Lower Norfolk to fight the king's loyall subjects, and over into Gloucester, and indeed all over the country, and in fine were the first in armes, and the laste that opposed and faced the King's Govern^r power, yet these noe grievances, And I bless God, and truely rejoice in the great goodness and mercey of our most gracious king that they are pardoned; but me thinks wth modesty they mought have given me leave to have had my grievances that my house was plundered of all I had, my sheep all destroyed, my hoggs and cattle killed, all my grain taken and destroyed, wheat, barley, oates, & Indian graine, to the quantity of seven, or eight hundred bushels, and to compleat theire jollity draw my brandy, Butts of wyne and syder by payles full, and to every health instead of burning theire powder, burnt my writings, bills, bonds, acc^t to the true vallue of forty thous^d p^d of tob^o and to finish theire barbarism, take my wife bigg wth child prisoner, beat her wth my Cane, tare her childbed linen out of her hands, and wth her ledd away my children where they must live on corne and water and lye on the ground, had it not been for the charity of

good people, and would not suffer them to feed on my own provisions, or have a bed to lye on, this sad, but true theam hath made me runn too long, but to my answeare I had a comission full, and ample, from the Rt. houn^{ble} the King's Govern^r to raise men throughout James River, I came up in armes wth Coll^o Jos: Bridger into the county about the ninth of January laste upon the South syde, his comission not extending to the North syde. I went thither where I finde Capt. Jno. Stith,* and Mr. Daniel Clarke had assumed to raise men for the king, and countrey's servis. I called the comandars & sold^r together, read them my comission, ask them if they would be obeydient to me as theire cheiftane; they answeare wth one voice they will: upon wth I gave them all the sold^r Oath except two notorious villaines, Jn^o. Baxter who I knew was taken prisoner, and forced there, and Henry May; being the same oath that Coll^o Jas. Bridger administered to the people on the South syde, I gave the comand of the soldj^r to Cap^t Stith and Mr. Clarke, and tooke six horsemen home wth me, and ordered Cap^t Stith and Mr. Clarke to send me fifteen horsemen well armed out of each of theire companyes because that I heard Laurence was upon the borders of our County, wth accordingly they did, I left tenn at Mr. Grendons as a guard upon that estate, and sent Baxter there as prisoner, the other twenty I tooke over wth me into New Kent, and whereas they say the countrey was at quiet, there was then aboute forty men upon theire guard at Mr. Cook's house in henrico, standing upon the borders of this county, and there was continued untill after the Govern^r was conducted home to his house, Green Spring; I proceed on wth my troope Inquiring for

* Captain, afterwards Major John Stith, had a grant of land in Charles City county in 1663. In 1676, the House of Burgesses that met under Bacon's auspices disfranchised him, as being one of the chief causes of the existing troubles. He was a practising lawyer in 1680, sheriff of Charles City 1691, and member of the House of Burgesses 1685, 1692, and 1693 (*Journal*). He married —, and had issue: 1. Col. Drury, sheriff of Charles City, 1714-'20, and 1724-'5, and first clerk of Brunswick county; married Susanna, daughter of Launcelot Bathurst, of New Kent; 2. William, married Mary, daughter of Wm. Randolph, of "Turkey Island," and was the father of Rev. Wm. Stith, the historian and president of William and Mary College; 3. John, of Charles City county; Burgess 1718-'23; 4. Anne, married Col. Robert Bolling.

Laurence, whome I heard was fled, I troope away one ag^t West Point, goe on board Capt. Larramore that night; next morning I come to them from aborde, from whence I brought two bookes of acc^t (to theire great grievance because they were not burnt wth the rest that theire debts mought have been easily p^d), w^{ch} my men did carry, from thence I trooped away through that ~~the~~ county of New Kent to wayte upon the Govern^r, whome I met, and wayted upon hime to his house, green spring, and there disband the soldj^r, and this is the true reason of the grievance of that Article, the latter parte of it is soe fals, and nothing in it that I think worth my answeare; yet I remember that about the 8th of April, 1676, when I went up to Maj^r-Gen^l Woods* about the powder, as p. order of Assembly, I either hired or impressed two men to rowe me up wth two of my owne and Mr. Bland and his wife being then at my house went up wth me to the Maj^r-Generalls, and I remember I carried some bottles of wyne wth me, but those men, if they were imprest (w^{ch} I cannot say), I p^d myself and never charged the publique nor county wth, and if I had I think it had been but reasonable, for I neglected noe time and was doing the country's business, but yo^r houn^t may see how that small errors in me become great faults.

* Major-General Abraham Wood, who resided near the present site of Petersburg, was long a prominent and influential man. He was a Burgess for Henrico February, 1644-'5; November, 1645; March, 1645-'6; October, 1646 (when he was entitled captain). At the session of October, 1646, it was enacted that Captain Abraham Wood, "whose service hath been employed at Fort Henry" (on the Appomattox), should be granted the fort and six hundred acres adjoining on the condition that he kept ten armed men there for three years. In April, 1652, as Major Abraham Wood, he was Burgess for Charles City; and again in November, 1654. In December, 1656, as Lieutenant-Colonel Abraham Wood, he was again a member of the House, and at the same session was appointed colonel of the regiment of Charles City and Henrico, in the place of Edward Hill. In March, 1657-'8, he was elected a member of the Council, and continued for a number of years to form one of that body. One of his daughters is said to have married Peter Jones, one of the family from whom Petersburg derived its name; and another, as the Henrico records show, married Major Thomas Chamberlayne of that county.

[TO BE CONTINUED.]

LETTERS OF WILLIAM FITZHUGH.

Nov. 3rd, 1690.

Mr. Nich^l Hayward :

The enclosed speaks its own business which I would request the favour of you to get copied over & deliver to Coll^o Ludwell who is interested for the Lord Culpepper's heirs & now in London. The reason I would not have it appear in my own hand is, because the Government at present is bent against it, for what reasons is best known to themselves, for my shallow apprehen. cant reach them. My lady Berkley, I dare say will be very free in communicating the same to you, wherein you will see to the reputation of your brother, the fair & full Record of Stafford county & likewise to add to its lustre Disjointed & Irregular Record of our Chief or generall court. It much concerns me perhaps as much in Reputation as Interest, it being the first law suit I ever had in my life & therefore am mighty solicitous not to miscarry therein, esteeming the Well manage of this, the presentation of many others, as also the thing itself requires it for the land in Controversie is nearly worth £300 Sterling Your friendly assistance is desired by

Your Wff.

Coll^o Ludwell either lives or may be heard of at W. Berrys. Brother Luke I dare say will contribute his assistance.

 James Town, Oct. 27, 1690.

Brother Luke:

Because you shall see I will miss no opportunity, I take this from James Town, by the latter ships, to acquaint you that when I came from home both yours and my family were well and in health. Just this day I mined Mr. Secretary Cole in your behalf, about the Sherriffs place, who still promises fair, time must give an account of his performance. You have a fair opportunity to serve your self there, by his Lordship, to whom

before this I hope you have applyed your self and given him from me my most obedient service. And withall I would have you be actively Industrious about the Collectors place of our River, more particularly for the upper District, which was divided from Popes Creek upward and from thence downwards, and was always formerly in two Collector's hands, which made it more easie both to master and Merchant and more advantageous to the King's Interest and more satisfactory to the People. Whereas now, as you of your own knowledge know, for want of a Collector for the upper District (as indeed in James River, there is two Collectors where the River is not so large) abundance of the Tob^o in our parts is carried to Maryland, & some Ships that would trade with us when they are up here, but are so discouraged at the remoteness of the Collector, that they choose to go clear away into Maryland, as you know two or three did this last Summer, whereby the King loses his Dutys here, the Governor his advantages, the People the opportunity of goods and trade, this might easily be remedied if there were two Collectors as formerly, and as it is now in James River. I would have you be diligent wth my Lord Howard in this affair, and obtain the place either for yourself or me, for if I have it, it shall be as convenient to you and easie for trade as if you had it your self, I can't imagine you will miscarry in it, if his Lordship has the disposall thereof as Governor, considering there is no prejudice done to any, by reason it was two distinct Districts & the greatness of the place requires it. I believe also its advisable for you to shew this to Mr. Nicholas Hayward, our very good friend, in whose pleasing Society, I question not, but before this time you have had, a delightful enjoyment, who will if he embarks therein, effectually I dare say manage and obtain, especially if you be to him full in your Relation, giving him an account of my commodious Scituation for such an undertaking, and withall the conveniencys and inconveniencys thereof w^{ch} I question not but you will fully manage, and rather than miscarry I would have you concern your Uncle Sr. H. Winch, &c. If you find at last that no Collectors place can be obtained, without it be to the person of a Councillor, then you must desist, I know nothing else can oppose an ingenious management. I must beg you to supply my defects in this concern by your own more ingenious

skill and knowledge. Sr. Since your going I have undertaken the manage of the division betwixt you and Harry Meerest and have already had the Orchard Divided, and intend the rest upon my return from Town, which will give quietness to my Sister in your absence and to yourself upon your return if you do not better supply yourself there. The Conclusion of Parson Waugh's business is, He has made a publick & humble acknowledgem^t in the Generall Court, by a set form drawn up by the Court and ordered there to be Recorded, and is appointed to do the same in our County Court, as soon as I come home, with a hearty penitence for his former faults and a promised obedience for the future, which he sincerely prays for the accomplishment of and for the sake of his Coat to do so.

Sr : You know some of the newest book's if they be ingenious will be mighty acceptable as will likewise a full account of the news. David Shore's business, Arthur Spicer and I have agreed to determine betwixt you. Mason's business appeared with such a Report from the Referrees, Allerton & Lee (back friends to us both as this Court then found) that there was neither word nor Argument to be used. When I see you shall be more full, &c. Sr : The above is a copy of my former sent by Norrington, which I now thought not inconvenient to Duplicate, because these wars make so great uncertainty of the safe arrival of Ships. About a month since I received one single letter from you which I believe came in Burnham, where I congratulate your safe arrival and kind reception by your friends. In it there was one to my Sister, which is the only letter also that she has received, which I immediately carried her myself, and therein had a larger account of news than in my own. I suppose you will have a full answer of that from herself by this conveniency.

And now Sr. I will give you a full answer to mine, And begin as you begin first with the Sheriffs place, which to accomplish according to your Desires and for your advantage (though I must tell you I had no such information from the inclosed as your letter directs nor nothing farther of it than barely your writing so) went immediately to Arthur Spicer's, shewed him your letter just as he was going to Town; desired him to apply himself to Mr. Secretary Cole to whom I also writ acquainting him with your information, who promised faithfully a diligent

pursuit of the same, from thence I applied myself to Coll^o Allerton, shewed him likewise your letter, who gave me his assurance to use his utmost endeavours therein the result is not yet arrived to me because the Assembly is sitting and no Commissions come out, which now I every day expect. I am heartily glad you are so well esteemed, and in such good respect with your uncle S^r Henry Winch and have so good an Introduction to renew your former acquaintance, and advance your interest with my Lord How^d which I don't question, but you will so discretely & wisely manage that they will find great satisfaction not only in continuing and heaping their favours, both to your future advantage and reputation, and both have cause to rejoice one in so hopeful a nephew the other in so discreet a friend. I find also that now you are in a hopeful way of managing that concern of the collectors place, especially now because Coll. Lee, in whose hands it now is by refusing to take the appointed oath to be taken to King William, &c., it is said has made himself incapable of bearing any office or place and consequently the place not to be compleatly supplied till my Lord Howard's particular appointment, which luckily now gives you a full opportunity for performance, which opportunity, I assure myself, you will dextrously manage.

I must acknowledge myself highly obliged, by your means to your uncle Sir H. Winch, for his nomination of me to that honour. Your letter mentions of being added to the council and under great obligations to his Lordship for kindly hearkening and almost agreeing to it, which I never did nor yet am not so ambitiously foolish, as to think of. Pray, Sir, therefore be so kind as to fit my humble and hearty acknowledgements for so great a favour in a suitable style and fit expressions for their acceptance. Coll^o Ludwell's being at my house last summer when you brought him has occasioned me some ill thoughts, from our Lieutenant Governor, which he has declared to severall, some of whom has been so kind as to inform me. He being informed that I joined with him in opposing the Government about the Northern Neck & that I was principall officer under him in the management of that affair and divers other things which raised a very great prejudice against me in his and some of the Councils opinion and I know not but may be so represented to

my Lord Howard in England. How clear I am of those aspersions yourself very well knows, being at my house the whole time of his being there and as well know that I was no way concerned, either in one thing or other, with him or any manner of his affairs though I gave him the civility of my house and had a sufficient trouble thereby as you are very sensible of. Pray S^r endeavour to know of my Lord whether there be any such representations made, and if there be please to clear them to his Lordship and manifest my Innocency, which you may be able to testify, as being an Eye and an Ear witness during his whole stay.

But I think I am as well fitted for that as for my former trouble, when I stood in the gap and kept off an approaching Rebellion, to my no small charge and trouble, as you fully know, being sending almost every day for five months together, and writting with my own above three quires of paper, to quash the raised storys and settle their pannick fears, having my house most part of the time constantly thronged, and in daily expectation of being plundered by the Rabble, and once of being treacherously murdered, for all which charge and trouble, I being out as you well know above £25 sterling, particularly for messengers sent severally up and down, beside the purchasing the powder and shot for our men in arms, for all which I thought at least I deserved thanks if no Retalliation; but thank God I have missed them both, and can do it with cheerfulness; but to be disregarded, nay & slighted too, and to see those mischievous active Instruments as you well know Waugh & Mason &c., the only men in favour, and the only men taken notice thereof, grates harder than the non payment for powder shot and other disbursements. I thought good to intimate this to you, that you may give my Lord a particular account of that whole affair (wherein his Lordship as you know from those persons miss'd not his share of the scandall &c.), and fully set forth to him the wickedness of Waugh & Mason &c., the at present, grand favorites; but I hope upon his Lordship's arrivall the scene of affairs may be changed. Please to bring me in if you can meet with it Rusworth's third part of his Historicall Collections, which begins from the Parliament in 1640 and carrys transactions on to the year 1653. Also Cornelius Agrippa's Occult Philosophy in English if it be procured, if not then one

in Latin. I hope to see you in early at the fall, when I shall be able more fully to discourse all matters with you and to assure you I am sir

Your Wff.

May 20, 1691.

Brother Luke :

I write this particularly by itself and make a Conclusion in the former, because if you have occasion and see convenient you may let any one see it, and save yourself some labour of discoursing some matters, that are discours'd upon your manage. I have sent Hawkins up and down to every house to look about your Tob^o, who renders me a very vile account thereof, some gone, some hogbeds, and some damnify'd and that, that remains good, there is such plenty of new Tob^o there's no disposing a pound thereof, for Mr. Harrison neither look'd after it himself & discouraged Hawkins in the looking after it. I hope you remember the Hospital boy, that I desired you to bring in, as also to perswade a Minister in, if you can with a sober serious learned one. I suppose my sister will be large with you about your family affairs, that I Need add no further, I am

With Sincerity S'r,

Your Wff.

To Mr. George Luke at &c.

May 20th, 1691.

Mr. Nicholas Hayward:

Sr. Your only and single letter dated 18th Nov'r came to hand about a month since, Wherein I find the Welcome news of your good health and continuation of your often repeated favours which were both extreamly welcome to me; your brother has not yet received one line, which miscarriage something troubles him not doubting but you have often written. Your Kindness about the money for the Smith is extreamly welcome to him, I suppose he will by this conveniency thankfully acknowledge it. As I must with all sincere affections imaginable acknowledge your Most obliging favours about the care and conduct of my son, if I had sent him thither, which nothing but that present conveniency that I fortunately met with should have hindered,

for he rather exceeds than comes short of my expectation. My wife Accepts the same with an hearty zeal and desired me to return your self and Lady her Sincere thanks and humble service. Sr. Your continuall favours prompted me to add that to the rest of the purchase of Waugh's tract, which if it be not done before this Return will now be facilitated, for he is Now Making promises to Mrs. Meese of payment, as he has done eleven years already to Mr. Secretary Spencer without performance of a penny & so his beginning will appear to her for I suppose upon his promise of consigning Tob^o toward the payment of it, She took freight, or Mr. Storke in her behalf for him, which he had neither thoughts nor capacity to comply with one hh⁴ of, when it came to him, I question not but he will find this year a pretension for that failure, but I dare venture to give her my Lady's if in ten years he comply with £20 of the purchase. I thank your Kindness about the Chaise Roulant & the books and doubt Not their reception this year, the present dangers only excepted. Sir I truly condole your unsuccessful (though chargeable and vigorous) proceeding about Brenton the unsteadiness of the times Since the first undertaking has been a great hindrance thereto, When or Whether they will end, for your advantageous prospect and Interest in that concern, I believe is uncertain, to you that are thereupon the Theatre where those bloody tragedies are acted (and which occasions such burdensome and ruinous losses to one or other dayly) much more to us at this distance; I am glad your Hudson's Bay Interest makes you some Compensation.

Sr. am extremely troubled that Madam Letten took no care for freight, when I gave her the assurance her Tob^o would be all ready, and positive directions to take it, which made her Tob^o long before the arrivall of any ships, which now I fear will be much worse for lying. I have now above 100 hhds of my own, which can neither sell nor get freight for, the greatest part of w^{ch} I doubt will be much damnified and some part of it utterly lost. Please to assure her, Sr, the same care I use about my own, as in sending to the particular houses severall times to view it, the same I shall take about hers. During the year I received none but for the sale of the goods for which I writ for certain freights, which your brother can inform you I could not

avoid receiving and employed his Clerk and Receiver to receive the same, under an assurance of freight, so that your and her arrears that little that it is, lyes for a better time, if time dont waste it, by the death, running away, &c., of the Debtors. Truly I took upon myself the Principall in being your Factor, for really the thanks and acknowledgements you are pleased to give me are of more value than that whole Concern as it now Stands. In my former I gave you the assurance and still continue the same of my utmost service towards the settlement of your contiguous tract, and can also assure you that your Brother has been carefully diligent in providing and grafting trees for orcharding these, truly effects are not answerable to the services done, for want of care in the Inhabitant there, for without a constant care and diligent Eye, a well made plantation will run to Ruin, What a new made plantation will arrive to where that's wanting (which hitherto has been your unfortunacy in this country concerns) I leave yourself to judge. And what in my former letter I severall times inculcated.

Sr. Preparation for an Orchard is soon made and that as soon planted, but without a constant care and continuall residence thereupon, the labour and care of seven years is destroyed in as many hours. Capt. Gutteridge and Brother Luke very well know the man that has the management of your plantation, please to enquire of them your expectaⁿ from the above premises. Sir I heartily congratulate and Emulate also my Brother's Luke's fortunacy in the enjoyment of your good company and as heartily thank your kind remembrance of us (in this war times) almost-deserted people here, for we have hardly supply sufficient to make you return. My Orchard I must confess, contributes largely to my present supply and gives me from its loaden boughs a promised assurance of a future gratification Which I'll assure we never chearfully pass about yo'r self unremembered. I one thought this year to come upon you of a sudden, but the dangerousness of the Seas and troublesomeness of a Prison, took me quite off that inclination, continually pleased myself with the full opportunity I should have in acknowledging your many and manifold obligations and favours and thankfully myself appearing to be. I hope Sr. you have receiv'd my money of Mr. Storke for the produce of the Tob^o

consigned him in Cap' Gutteridge. I have drawn a bill of Exchange upon you for £11.10 payable to Doct' Clark. If it comes to hand please to let it have due acceptance. This duplicated and triplicated.

To Mr. Nicholas Hayward &c.

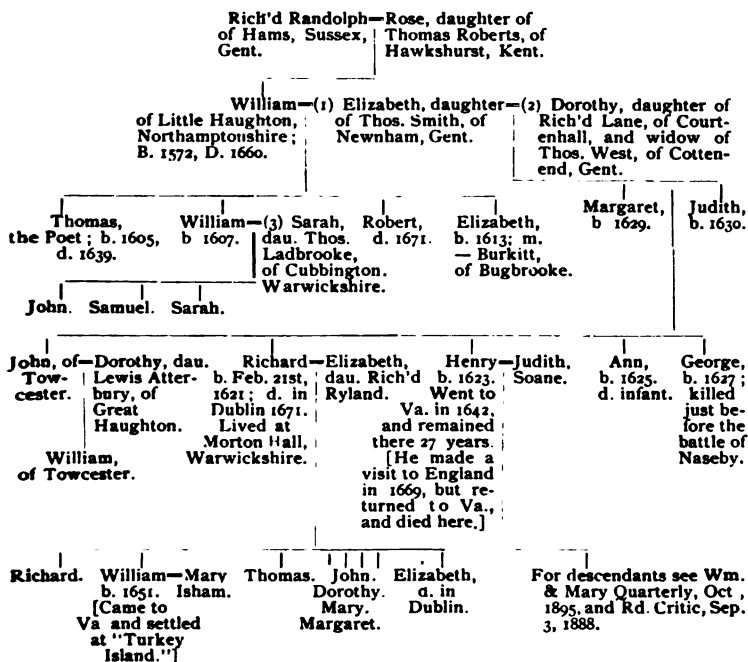
Major Robert Beverley and His Descendants.

By W. G. STANARD.

(CONTINUED.)

12. ELIZABETH BEVERLEY¹ (*Peter*,² *Robert*¹), second daughter, b. Jan. 1st, 1691, d. Dec. 26, 1723; married June 22d, 1709, Colonel William Randolph, Jr., of "Turkey Island," Henrico county (son of Colonel William Randolph* of the same place, who was born 1651, came

*The following pedigree of the Randolphs is chiefly from an heraldic visitation of Northamptonshire:



to Virginia about 1669, and was clerk of Henrico county, many years member of the House of Burgesses, of which he was Speaker in 1698; married Mary, daughter of Henry Isham, and died April 11, 1711), who was born Nov. 1681, and died October 19, 1742. He was appointed clerk of Henrico county, May 1710, and held the office until May 1720; was clerk of the House of Burgesses 1702-'12 (*Henrico Records*); appointed justice of Henrico, February 1720-'21, and member of the Council, 1728 (*Sainsbury Abstracts*). His tomb is at "Turkey Island," with the following epitaph :

" Here lieth the Honourable WILLIAM RANDOLPH
Esq eldest Son of Col. William Randolph
of this place and of Mary his wife who was
of the Antient & Eminent family of Northampton-
shire, having been introduced early in Business
and passed through many of the inferiour offices
of Government with great Reputation & eminent Capacity
He was at last

By his Majesty's happy choice & the universal
approbation of his Country advanced to the
Council. His experience in men & business
the native gravity & dignity of his person & behaviour
his attachment to the interests of his Country
knowledge of the laws in general & of the
laws & constitution of this Colony in particular
his integrity above all Calumny or suspicion
the acuteness of his parts & the extensiveness
of his genius together with the solidity of
sense & judgment which was ever predom-
inant in all he said or did—rendered
him not only equal but an ornament
to the high office he bore & had made
him universally lamented as a most
able and impartial judge & as an upright
& useful magistrate. In all other respects
neither was he less conspicuous for
a certain Majestic plainness of sense
& honour which carried him through
all parts of private life with an equal
dignity & reputation & deservedly obtained
him the character of a just good man
in all the severall dutys & relations
of life. Natus Novr. 1681. Mortuus Oct. 19, 1742
Anno. Ætatis 61 "

The tomb of his wife is also at "Turkey Island," with the following inscription:

"This monument is erected
in memory of
Elizabeth Randolph
late wife of William Randolph
of the county of Henrico Gent.
& second daughter of Peter
Beverley of the county of
Gloucester, Esq., by Elizabeth his wife
who was daughter of Robert Peyton
of an Antient Family in
Norfolk, Gent:
She was born the 1st day of Jan: 1691
Was married the 22d of June 1709
And died 26 day of Decem: 1723
Much lamented by her Husband &
all who knew her."

William and Elizabeth Randolph had issue: (1) Beverley, of "Turkey Island," *d. s. p.*; (2) Peter, of "Chatsworth," member of Council, and Surveyor-General of the Customs for the Middle District of North America; (3) William, of "Wilton;" (4) Mary, married John Price; (5) Elizabeth, married Colonel John Chiswell.

Following is a copy of the will of Colonel Wm. Randolph:

In the name of God Amen. I, William Randolph of Henrico County do make this my Last Will & Testament in manner & form following, I recommend my Soul to God hoping through the merrits & mediation of my blessed Saviour Jesus Christ to receive pardon & remission of my sin. As to my Body I give it, to be disposed of & buried at the discretion of my Executors. Item. I give and bequeath unto my daughter Mary Eight Hundred Pounds Sterling, & One Hundred Pounds Currant Money, with a New Chaise & Harness for Six Horses which I have sent for, together with six horses of her own choosing. Item. I give & devise unto my Son Peter Randolph & his Heirs forever all my Land lying at West Ham, not before given him, with Sixteen Negroes thereon. I also give and Devise to him & his Heirs forever my tract of Land at Letalone in Goochland County containing Nine Hundred & Odd Acres with Seven Negroes belonging thereto, also all my Land at the Fork of Appomattox that lyeth on the North Side of the River, & not before given to his Brother Beverly Randolph, with Seven Negroes belonging thereto. Item. I give & devise unto my Son William Randolph & his Heirs forever all my Land lying on the Branches of Fighting Creek in Goochland County containing Seven Thousand & odd acres with all the

Negroes thereon except those herein otherwise given. I also give him Two Negroes named Hercules & Isaac. Item. I give unto Sarah Cobb for the use of the Daughter One Hundred Pounds Currant Money. I also give unto her Daughter Sarah Staggs all my Land on the South Side of Appomattox River to be to her and the Heirs of her Body lawfully begotten forever & for want of such Heirs then to return to my Son William Randolph & his Heirs forever. I also annex to the said Land for the uses aforementioned Five Negroes named Redriff Affey, Bagwel Jack & Phibby. Item. I give unto my Son Peter Randolph Two Negroes named Jenny & Flora. All the rest & residue of my Estate Real & Personall I give unto my Son Beverley & his Heirs forever except as followeth, I give unto my Daughter Mary Five Negroes Named Phibby, Mirtilla Phillis & her Three children. I give unto my Son William Randolph all my Plate & Household goods on the Plantation where I live in Goochland County. It is my will that the Stock Tools & utensils on the several Lands be given therewith. It is also my will that the Slaves & Plantations herein particularly given be kept together by my Executor untill my Legacies shall be paid out of the Profits thereof. Item. I give Two Hundred Pounds Sterling which is owing to me from my Son in Law John Chiswell unto his Daughter Elizabeth & Susannah to be put out to interest by my Executors for their use.

Lastly I do appoint my Three Sons Beverly Randolph, Peter Randolph & William Randolph, Executors of this my Last will & Testament & it is my direction that my Executors be not obliged to Inventory or appraise my Estate.

Witness my Hand & seal the Seventeenth Day of October One Thousand Seven Hundred & Forty Two.

WILLIAM RANDOLPH (seal)

This will was signed sealed & published in the presence of us. Wm. Mayo. Saml. Cobbs. John Scruggs. Thos. Carter. Richard Povall.

At a Court held for Goochland County Novemb. 16. 1742. This Will was proved by the Oaths of William Mayo, Theodrick Carter, and John Scruggs to be the Last will and Testament of the Honble William Randolph, Esqr. Dec'd. which was ordered to be Recorded.

Test.

HENRY WOOD Cl. Curt.

A copy—Teste.

P. G. MILLER, Deputy Clerk
for William Miller, Clerk G. Co. Ct.

Sept. 18, 1894.

11. SUSANNA^a BEVERLEY (*Peter*,¹ *Robert*,¹) youngest daughter, born —; died —; married Sir John Randolph, of Williamsburg (son of Colonel William Randolph, the elder, of "Turkey Island") who was born 1693, died March 9, 1737. He was educated at William and Mary College, Gray's Inn, and The Temple; and after finishing his legal studies in England returned to Virginia, settled in Williamsburg (though he had estates in Gloucester, where he was at one time County Lieutenant), and at an early age was appointed Attorney General of Virginia. He represented William and Mary College in the House of Burgesses, and in 1730, while visiting England, it is said to obtain a renewal of the College charter, he was knighted. In 1736 he was chosen Speaker of the House of Burgesses and Treasurer, and in the same year, the first recorder of the new borough of Norfolk. Sir John seems to have been considered to have been at the head of the bar in his day, and to have been generally regarded as a man of great talents and acquirements. His nephew, William Stith, says that he (Randolph) intended to write a preface to the laws of Virginia, "and therein to give an historical account of our Constitution and government, but was prevented from prosecuting it into effect by his many and weighty public employments and by the vast burden of private business from his clients." Stith made use of the materials his uncle had collected.

The following obituary notice of Sir John appeared in *The Virginia Gazette* for the week ending March 11, 1736-7:

"WILLIAMSBURG, March 11.—On Monday last, the Hon. Sir John Randolph, Knt., Speaker of the House of Burgesses, Treasurer of this Colony, and Representative for William and Mary College, was interred in the Chapel of the said College. He was (according to his own Directions) carried from his House to the Place of Interment, by Six honest, industrious, poor House-keepers of Bruton Parrish; who are to have Twenty Pounds divided among them: And the Rev. Mr. Dawson, one of the Professors of that College, pronounced a Funeral Oration in Latin. His Corps was attended by a very numerous Assembly of Gentlemen and others, who paid the last Honours to him, with great Solemnity, Decency, and Respect. He was in the 44th Year of his Age.

"He was a Gentleman of one of the best Families in this Country. Altho' what Livy says of the Romans, soon after the Foundation of their City, be very applicable to us here (in novo populo, ubi omnis repentina nobilitas fit,) yet his family was of no mean Figure in England, before it was transplanted hither. Sir THOMAS RANDOLPH was of a Collateral Branch, which had the Honour, in several important Embassies, to serve Q. ELIZABETH, one of the wisest Princes that ever sat on an English Throne, very nice and difficult, and happy, even to a Proverb, in the Choice of her Ministers. Among these, Sir Thomas made no inconsiderable Figure, and is acknowledged to have been a Man of great Parts and Ability, and every Way equal to the Emploiments which he

bore. Mr. THOMAS Randolph, the poet, was great Uncle to Sir JOHN. An immature Death put a Stop to his rising Genius and Fame ; but he had gained such a Reputation among the Wits of his age, that he was exceedingly lamented ; And Ben Johnson always expressed his Love and Esteem for him, calling him by no other Title, but that of Son. The family were high Loyalists, in the Civil Wars, and being entirely broken and dispersed, Sir JOHN's father resolved (as many other Cavaliers did) to take his Fortune in this Part of the World.

"By his Mother's side, he was related to the Ishams of Northamptonshire, an ancient and eminent Family of that County.

"Sir JOHN discovered, from his earliest Childhood, a great Propensity to Letters. To improve which, he was first put under the Care of a Protestant Clergyman, who came over among the French Refugees. But afterwards he received a fuller and more complete Education in William and Mary College ; for which Place (with a Gratitude usual to Persons who make a proper use of the Advantages, to be reached in such Seminaries) he always expressed the greatest Love and Respect not only in Words, but by doing real and substantial Services. He finished his Studies, in the Law, in Grays' Inn, and the Temple, and having put on his Barrister's Gown, returned to his Native Country ; where from his very first appearance at the Bar, he was ranked among the Practitioners of the first Figure and Distinction.

"His Parts were bright and strong, his learning extensive and useful. If he was liable to any Censure in this Respect, it was for too great a Luxuriancy and Abundance ; and what Quintilian says of Ovid, may, with great Propriety, be applied to him : *Quantum vir ille praeclare potuerit, si ingenio suo temperare quam indulgere moluisset* ?

"In the several Relations of a Husband, a Father, a Friend, he was a most extraordinary Example ; being a kind and affectionate Husband, without Fondness or Ostentation ; a tender and indulgent Parent, without Weakness or Folly ; a sincere and hearty Friend, without Profession or Flattery. Sincerity indeed, ran through the whole Course of his Life, with an even and uninterrupted Current ; and added no small Beauty and Lustre to his Character, both in Private and Publick.

"As he received a noble Income, for Services in his Profession and Emploiments, so he, in some Measure, made a Return, by a most generous, open, and elegant Table. But the Plenty, Conduct, and Hospitality which appeared there, reflect an equal Praise on himself and his Lady.

"Altho' he was an excellent Father of a Family, and careful enough in his own private Concerns, yet he was even more attentive to what regarded the Interest of the Publick. His Sufficiency and Integrity, his strict Justice and Impartiality, in the Discharge of his Offices, are above Commendation, and beyond all reasonable Contradiction. Many of us may deplore a private Friend ; but what I think all ought to lament,

is the Loss of a publick Friend ; an Assertor of the just Rights and natural Liberties of Mankind ; an Enemy to Oppression; a Support to the Distressed; and a Protector of the Poor and indigent, whose cause he willingly undertook, and whose Fees he constantly remitted, when he thought the Paiment of them would be grievous to themselves or Families. In short, he always pursued the Publick Good, as far as his judgment would carry him ; which, as it was not infallible, so it may, without Disparagement to any, be placed among the best, that have ever been concerned in the Administration of the Affairs of this Colony.

"The following Particular may perhaps be thought trifling. However I cannot help observing, that all these accomplishments received an additional Grace and Ornament from his Person; which was of the finest Turn imaginable. He had to an eminent Degree, that ingenua totius corporis pulchritudo & quidam senatorius decor, which Pliny mentions, and which is somewhere not unhappily translated, 'The Air of a Man of Quality.' For there was something very Great and Noble in his Presence and Deportment, which at first Sight bespoke and highly became, that Dignity and Eminence, which his Merit had obtained him in this country."

The Virginia Gazette of April 20, 1739, says: "A beautiful Monument of curious Workmanship, in Marble, was lately erected in the Chapel of the College of *William and Mary*, to the Memory of Sir *John Randolph*, Knight, who was interred there ; and which has the following inscription upon it :

Hoc juxta marmor S. E.
 JOHANNES RANDOLPH, Eques:
 Hujus Collegii dulce Ornamentum, Alumnus
 Insigne Praesidium *Gubernator*
 Grande Column *Senator*,
 GULIELMUM Patrem Generosum
 MARIAM ex ISHAMORUM Stirpe
 In Agro *Northamptoniensi* Matrem
 Praeclaris dotibus honestavit
 Filius natu Sextus
 Literis humanioribus
 Artibusque ingenuis fideliter instructus
 (Illi quippe fuerat tum Eruditionis,
 Tum Doctrinae sitis nunquam explenda.)
 Hospitium *Graiense* concessit,
 Quo in Domicilio
 Studiis unice deditus
 Statim inter Legum peritos excelluit,
 Togamque induit;
 Causis validissimus agendis

In Patriam
 Quam semper habuit charissimam reversus,
Causidici
 Senatus primum *Clerici* deinde *Proclucutoris*
Thesaurii
Legati ad *Anglos* semelatque iterum missi
Glaucestriae demum Curiae *Judicis Primarii*
 Vices arduas houestasque sustinuit
 Perite, graviter integre:
 Quibus in Muniis
 Vix parem habuit
 Superiorem certe Neminem
 Hos omnes quos optime meruit Honores
 Cum ingenua totius Corporis pulchritudo
 Et quidam Senatorius decor,
 Tum eximum Ingenū acumen
 Egrege illustrarunt.
 At *Æquitas* summi juris expers
 Clientum fidele omnium
 Panperoram sine Mercede Patrocinium
 Hospitium sine luxu splendidum
 Veritas sine fuco
 Sine fastu Charitas.
 Ceteris Animi Vertutibus
 Tacile praetuxerunt.
 Tandem
 Laboribus Vigiliisque fractus,
 Morboque lentissimo confectus
 Cum sibi satis, sed Amicis, sed Reip: parumvixisset,
 SUSANNAM
 PETRI BEVERLEY, Armigeri
 Filiam natu minimam
 Conjugem delectissimam,
 (Ex qua tres Filios Filiamque unicam suscepit)
 Sui magno languentem desiderio
 Relequit
 Sixto Non: Mar: Anno Dom: 1736-7
 Ætate: 44."

This tablet was destroyed in the fire of 1859.

Sir John and Susanna (Beverley) Randolph had issue: (1) John, Attorney-General of Virginia, and father of Edmund Randolph; (2) Peyton, first President of Congress; (3) Beverley; (4) Mary, married Philip Grymes, of "Brandon," Middlesex.

13. WILLIAM³ BEVERLEY (*Robert*,⁴ *Robert*¹), born about 1698; died in or before 1766; lived at "Blandfield," Essex county, which he built, and which still remains. He was clerk of Essex 1716-'45; member of the House of Burgesses from Orange 1736 (*Virginia Historical Register*, III), and from Essex 1744, 1745, 1748, 1751, and doubtless in other years [*Journals of Burgesses*, and *Burk's Virginia III*]. In 1741 he was appointed county lieutenant of Orange and Augusta counties [*Waddell's Augusta County*], and in 1751 was appointed to the Council. Colonel William Beverley married Elizabeth (born May 29th, 1706) daughter of Richard Bland, of "Jordon's Point," Prince George county [*Bland Papers*]. Besides various patents of several thousand acres each, he, with Sir John Randolph, Richard Randolph and John Robinson, obtained on September 6, 1736, a grant of 118,490 acres, "called the Mannor of Beverley," in Orange county. This great tract, more commonly known as "Beverley Manor," was situated in the present Augusta county, and appears, from the deeds on record in Augusta, to have belonged chiefly to William Beverley. Beverley Manor is still the name of a district in Augusta county.

Letters written by Colonel William Beverley have been printed in the *Calendar of Virginia State Papers*, Vol. I, and in the *William and Mary Quarterly* for July, 1895.

William Beverley's will is not on record in Essex or Orange counties. If he made one it was probably recorded in the General Court, and has now been destroyed.

Issue: 24. *Robert*,⁴ 25. *Ursula*,⁴ 26. Elizabeth,⁴ married James Mills; 27. *Anne*.⁴

14. ELIZABETH³ BEVERLEY (*Harry*,² *Robert*,¹) "baptized by Mr. Gray at Esquire Wormeley's, 9th November, 1697;" married (his second wife) August 18, 1717 (*Register of Ch. Church, Middlesex*), William Stanard, born February 15, 1682, died December 3d, 1732 (son of William Stanard, of Middlesex Co., and his wife, Eltonhead, widow of Henry Thacker, and daughter of Edwin Conway and Martha Eltonhead, his wife, W. S. and E. T. were married about 1676) Clerk of Middlesex 1704-'32. There is recorded in Middlesex a letter, dated "King & Queen, 17th April, 1704," from Chicheley Corbin Thacker, Deputy Secretary of the Colony, to the Court of Middlesex, stating "That I need not tell you of my sorrow for the death of your late clerk," and thanking them for recommending to the Governor, his brother, William Stanard, to succeed his brother, Edwin Thacker, as clerk. There is also recorded the commission, dated September 20, 1716, (signed by William Cocke, Secretary of State), of William Stanard, Gent., as Clerk; and a power of attorney, dated May 16, 1716, from William Stanard, of Middlesex, Gent., intending to go to England. In the *Sainsbury Abstracts* it appears that "Mr. William Stanheard, clerk of one of the county courts," was in London in 1716, and was one of the

persons who testified before the Board of Trade and Plantation in regard to tobacco. He died intestate, and on July 3d, 1733, administration was granted to his widow Elizabeth, with Rev. Bartholomew Yates and Edwin Thacker as securities. On July 12, 1733, the Court of Caroline county ordered that John Gibson, Robert Key, and Richard and John Taliaferro appraise the estate, in that county, of William Stanard, gentleman, deceased. In Spotsylvania county, July 3d, 1733, the court, on motion of Beverley Winslow, gent., in behalf of Mrs. Elizabeth Stanard, administratrix of William Stanard, deceased, late of Middlesex county, for the appraisement of said decedent's estate in Spotsylvania, it was so ordered and the appraisers reported that they met at "the plantation of Mr. William Stanard, deceased, and appraised all such personal estate as was shown to them at the lower quarter in this county"; including eight negroes, &c., valued at £195. 4. '2.

Mrs. Elizabeth Stanard died 1747. Her will is as follows:

In the name of God amen.

I Elizabeth Stanard widow of the Parish of Christ church and county of Middlesex being in perfect sense and memory.

Knowing the uncertainty of human life and being willing that my worldly estate which it hath pleased God to bless me with, should be disposed of in such manner after my decease as I shall hereafter direct, Do make this my last will and testament in manner and form following, viz:

Imprimis. I do bequeath my soul to God in hopes of a joyful resurrection unto eternal life through the merits and intercession of my dear redeemer and Saviour Jesus Christ, my body to the earth from whence it came to be buried in such manner as my ex'or hereafter named shall think proper.

Item. My will is that all my just debts and funeral expenses be first paid and discharged.

Item. I desire that none of my estate be appraised.

Item. I give unto my dear son Beverly Stanard all my tract of land in Spotsylvania county called and known by the name of Stanford he paying to each of my daughters Elizabeth and Sarah one hundred pounds Current money apiece at the expiration of six years after my decease, and my will and meaning is that if my said son should refuse to pay my two daughters the said sum before mentioned at said expiration of the said six years, then I give the said land to my two daughters to be equally divided between them.

Item. I give unto my dear son Beverly Stanard all the rest of my estate, he paying each of my daughters a negro girl of nine years old at my decease.

Item. I constitute and appoint my loving son Beverley Stanard executor of this my last will and testament. In testimony whereof I have hereunto set my hand this 19th day of April, 1745.

ELIZA. STANARD.

Signed and declared to be her last will and testament in the presence of us. Randolph Segar. Ann Segar.

At a court held for Middlesex county on Tuesday the 7th day of July, 1747.

This will was proved by the oaths of Randolph Segar and Ann Segar the witnesses thereto and ordered to be recorded. And the within named Beverly Stanard having taken the oath of an executor, certificate is granted him for obtaining a probat' in due form.

Teste.

JNO. PRICE.

Truly recorded—Teste.

JNO. PRICE.

A copy—Teste.

P. T. WOODWARD, C. M. C. C.

December 7th, 1882.

The inventory of her estate, dated July 30, 1747, was recorded in Middlesex. Among the articles enumerated were: beds, 2 dressing-tables, 2 bedsteads, tables, 10 high-backed chairs, 2 low do., a large looking-glass, 12 "cain" chairs, 1 dozen ivory-handled forks and 11 knives, 1 walnut cabinet, 1 "cain" couch, 1 dozen silver soup spoons, 1 large silver soup spoon, 7 tea spoons, 1 pair tongs, 1 salver, 2 dozen and 5 shallow plates, 8 dishes, table-cloths, napkins, 1 tea-board, 1 large and 1 small china bowl, 8 china tea cups and 6 saucers, 1 china teapot, 1 earthen do., 1 dozen delf soup plates, 1 dozen do. of shallow, 1 dozen large delf bowls, dishes, basins, 3 drinking glasses, 1 sugar canister, a parcel of tea canisters and vials, 1 cream pot, 1 tea kettle, a parcel of old books, 6 draught oxen, 27 cattle, 7 calves, 55 hogs, shoats and pigs, 21 sheep and lambs, 1 four-wheeled chaise, &c., &c.

William Stanard had issue by this marriage (1) Beverley, of "Roxbury," Spotsylvania county; (2) Elizabeth m. 1741, Bartholomew Yates (3) Sarah. By his first m., with Anne Hazlewood, he had Ann, born June 26, 1711; married (1) April 10, 1729, Robert¹ Beverley, of "Newlands," Spotsylvania, and (11) Colonel William Waller, of Spotsylvania.

[TO BE CONTINUED.]

ABSTRACTS OF VIRGINIA LAND PATENTS.

PREPARED BY W. G. STANARD.

(220) MR. WILLIAM STONE [1], 1,800 acres, beginning at the blunt point between Hunger's and Mattawamus Creeks, and abutting westerly on the bay, due for his own personal adventure and for that of his brother, Andrew Stone, and for the transportation of 34 servants (names below). By West, June 4, 1635.

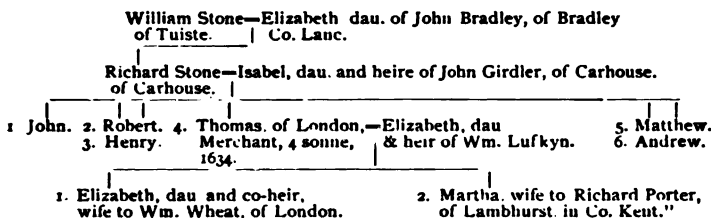
Hugh Hayes, Armstrong Foster, William Hankinson, Thos. Ward, Charles Farrington, Edward Burt, Thos. Halcock, Henry Holland, Henry Hartwell, Robert Chesheire, an Irishman, Thos. Chilcott, William Burcher, Wm. Biss, Jo'n Winnall, James Fletcher, Jo'n Blackstone, Thos. Smith, Edward Allen, Matthew Scarborough, David Winley, Henry Johnson, Richard Worster, Ann Lightfoot, Henry Armetrading, Rich'd Panell, Ann Smith, John Ruffin, William Davis, Thos. Conna-grave, Sampson Robins, Wm. Matrun, Henry Harris, Wm. Cole.

NOTE.

[1] Captain Wm. Stone, of Hunger's Creek, on the Eastern Shore of Virginia, was born in Northamptonshire, England, in 1603, and came to Virginia in or before 1633. He was nephew of Thomas Stone, a haberdasher of London. In 1633 he was a commissioner (justice) of Accomac (as the whole Eastern Shore was then called); in 1635, vestryman, and in 1640, sheriff of Northampton county. In 1648 he conducted the negotiations for the removal of a party of Non-Conformists from Virginia to Maryland, and on August 8th of that year, Lord Baltimore commissioned him Governor of that colony. He was removed from office in 1653 by the Parliamentary Commissioners, Claiborne and Bennett, but in 1655 led a rising of the royalist element of the colony, which, on March 25th, was defeated at Severn by the adherents of Parliament, under the command of Captain Wm. Fuller. Stone was captured and sentenced to death, but was pardoned. He died (says *Appleton's Biographical Dictionary*) about 1695, at his manor of Avon in Charles county, Maryland. Among his descendants was Thomas Stone, signer of the Declaration of Independence. Governor Wm. Stone married Verlinda, sister of Rev. Wm. Cotton, the minister of Accomac.

Mr. Elliott Stone, Riverdale, N. Y., in the *New England Historical and Genealogical Register* for July, 1895, suggests (and there hardly seems a doubt as to the correctness of his supposition) that Governor Wm. Stone was a member of the family of which the following pedigree is given in the Visitation of London, 1633-'5:

"Per Garter Segar in a large pedigree of 20 descents, but full of errors:



Arms: Quarterly Stone (per pale or and sable, a lion rampant counter charged), quartering Girdler and Brickleton, with an escutcheon of pretense for Lufkyn.

Mr. Stone states that there is in Maryland in the possession of a descendant of Governor Stone, an old ring which displays the arms as given (without the Lufkyn). Thomas Stone, haberdasher of London, the uncle of Governor Stone, was living in 1647 in Cateaton street, and the marriage license, 1632, of Richard Porter and Martha Stone, describes her as daughter of Thomas Stone, haberdasher, of "St. Lawrence Old Jury," in which parish Cateaton street was situated. Mr. Stone also shows that Thomas Stone, of London, was like his nephew, William Stone, a sympathizer with the Puritans.

Captain William Stone in his will mentions his brothers, Richard and Matthew, brother Sprigg, and sons, Thomas, Richard, John, and Matthew, and daughters Elizabeth, Catherine, and Mary. He also had a sister, probably named Bridget, who married Rev. Francis Doughty. Governor Stone also had a brother John, who was possibly the Captain John Stone who was killed by the Pequots on the Connecticut river. It is known that the latter had at one time lived in Accomac county, Virginia.

(221) CHARLES HARMAR [1], 1,050 acres [on the Eastern Shore] bounded on the west by the shore of the main bay, on the south by Old Plantation creek, &c., due for the personal adventure of himself and his wife, Ann Harmar, and for the transportation of 19 servants [names below]. By Governor West, July 4, 1635.

Head rights: Charles Harmer, Anne Harmar, his wife, Evan Jones, Thomas Cole, James Courtney, Lazarus Manning, Thomas Davis, Rich'd Wryth, Jon. Symon, Rich'd Newton, Samuel Lucas, Eliz. Burnett, Rebecca Slaughter, and eight negroes named Alexander, Anthony, John, Sebastian, Polonia, Jane, Palatia, Cassanga.

This patent was renewed by Richard Kemp, Esq., Governor, in the name of Elizabeth Harmer, daughter of said Charles Harmer, and 150 acres added by patent September 17, 1644.

"Teste

SAMLL ABBOTT, Clr."

NOTE.

[1] Neill (*Virginia Carolorum*) says that this Charles Harmar was son of John Harmar, warder of Winchester College, and brother of John Harmar, Greek Professor at Oxford. Charles Harmar came to Virginia in the ship "Furtherance" in 1622, when he was twenty-four years old, and became a prominent planter at Magothy Bay on the Eastern Shore. He died before 1644, as in that year there is a grant of land to Elizabeth, daughter and heir of Charles Harmar, deceased. On May 1, 1654, this land was assigned by Thomas Harmar, son of Dr. Harmar, the Greek professor (who calls himself heir of Elizabeth Harmar) to Nathaniel Littleton. Littleton married Anne, widow of Charles Harmar. There is recorded at Northampton court-house a power of attorney, dated March 1, 1652, and recorded January 12, 1654, from "Doctor John Harmar, ye Greeke reader to ye Universtie of Oxford, heir of Charles Harmar, late of Accomacke in Ye Dominion of Virginia, to his (John Harmar's) son, Thomas Harmar, now or late of Jamestown in ye Dominion aforesaid," authorizing him to demand possession of his (John Harmar's) brother's property, saving to his widow and her husband, Captain Littleton, Governor of Accomacke aforesaid, her dower and thirds. Ann, wife of Charles Harmar and afterwards of Nathaniel Littleton, was a daughter of Henry Southey. She obtained a certificate for land, due in right of the immigration of her "father, Henry Southey, Esq.," Elizabeth, his wife; Henry Southey, his child; Thomas, Mary, and Elizabeth Southey, &c. On January 30, 1621-'2, the Virginia Company issued a land grant to Henry Southey, of Rimpington, in Somersetshire. The *English Dictionary of National Biography* states that John Harmar, the Warder of Winchester, was uncle of Dr. John Harmar, Greek Professor at Oxford, and not father, as Neill states. Charles Harmar was Burgess for Accomac in September, 1632, and was appointed commissioner (justice) of that county at the same session.

(222) MR. NATHANIEL HOOKE, 200 acres beginning two and a half miles up Pagan Point creek, upon the west side of the creek, due for his personal adventure, and for the transportation of three persons, Thomas Boyer, Richard Dunningham, and Patrick Vaughan. By West June 5, 1635.

(223) MR. JEREMIAH CLEMENT, 500 acres lying eastward of the lands formerly in his possession, and bounded on the north by James river—due: 50 acres for the personal adventure of his wife Edy Clements, and 450 for the transportaion of nine persons (names below). By West, June 11, 1635.

Head Rights: Edy Clement, his wife, John Clement, John Giles, John

Dawtres, Christopher Abbott, Henry Tompson, John Taylor, Thos. Ashby, Wm. Skuens, Wm. Winter, Nathaniel Eaton [1].

NOTE.

[1] Probably the first President of Harvard College, who afterwards moved to Accomac.

(224) WILLIAM SPENCER [1], 1,100 acres on Lawne's Creek, adjoining a parcel of land which said Spencer has already taken up—due for the transportation of 22 servants (names below). By West, June 19, 1635.

Head Rights: Robt. Stoakes, Edw'd Wilmott, Robt. Arnall, Ananias Coplestone, George Pruwer, Nicholas Atwell, Evan Williams, Franc Barle, Wm. Michael, John Lewis, Katherine Perie, Ellen Alice, Antho. Streate, Hector Godbeare, Nicholas Spencer, Jon. Dodman, John Holdin, Thos. Powell, Thos. Smith, Thos. Clayton, Jon. Mathews, Eliz. Nicholson.

NOTE.

See *Virginia Historical Magazine*, I, 89.

(225) ROBERT SHEPPARD [1], 300 acres near the head of Chipchoaks Creek—due, 50 acres for his own personal adventure, 50 for the personal adventure of his wife Priscilla Sheppard, and 200 for the importation of 4 servants, Wm. Mauldon, Jon. Shawbrooke, Eliz. Borne, and Edw'd Owen. By West July 19, 1635.

NOTE.

[1] "Captain Robert Shepheard" was a member of the House of Burgesses from James City county (then including Surry) in October, 1646, and November, 1647, and was in November, 1647, appointed collector of public levies "from Lawnes creek to Sunken Marsh, including Hog Island." The following are recorded in Surry: (1) Deed dated January 5, 1652, from Robert Shepard, of Lawnes creek, gent., to Lieutenant William Caufield, conveying 1,100 acres at the mouth of Lawnes creek; (2) Deed from Major Robert Shepard, Surry, August 14, 1653; (3) Letter dated London, September 14, 1646, and recorded in Surry, from John White to Captain Robert Shepard "at his house on Chippooks;" salutes him and his wife, and acknowledges the receipt of two hogsheads of tobacco from him; also writes in regard to a debt due him, White, by Mr. Fowler, deceased, which he hopes Captain Browne and Captain Freeman will pay; has received certain tobacco from "your neighbor Mr. Webb;" (4) Marriage contract, Surry, September 25, 1654, between Mr. Thomas Warren, of Smith's Fort, Surry, Gent., and Mrs. Elizabeth Shepherd, widow, of Lower Chippooks. Thomas Warren is to have and enjoy all the estate of Major Robert Shepherd, deceased, now in the possession of the said Elizabeth (his relict) except

the land, and the following articles, which Mrs. Elizabeth shall dispose of at her own pleasure (viz): one gold seal ring marked D. S., one pair of silver tongs marked R. S., and one silver neckhorne [?] marked I. S.; and she may appoint feoffees in trust to oversee her children's estate; and it is agreed that on September 29, 1656, Mr. Thomas Warren shall give to Anne, John, Robert, and William Sheapard certain horses and cows, and to Priscilla and Susanna Shepard their full share of their father's estate, and besides, give each a cow, and calf, &c.

(226) JOSEPH JOHNSON, 400 acres lying easterly on a creek about three miles up Nanzemond River, and extending westerly on said river—due by order of Court, Dec. 12, 1634, and also due for the transportation of his wife Elizabeth Johnson, and seven servants (names below). By West June 19, 1635.

Head Rights: Elizabeth Johnson, Wm. Smith, Hen. Giles, Georg Gilbert, Revena Crewe, Wm. Robinson, Fran: Gray, Alice Spore.

(227) WILLIAM BEARD, 450 acres at Pashbehayes, in the Corporation of James City, adjoining the land now in the occupation of said Beard, and the land of Richard Barington—due, 50 acres for his own personal adventure, 50 for the personal adventure of his wife Joane, and 300 for the transportation of seven servants (names below). By West June 19, 1635.

Head Rights: Will: Beard, Joane Beard, John Stoute, Hen. Meares, Fr. Withers, Tho. Lock, Mat. Middleton, Anth: Rockwood, Marg. Walton.

(228) ALEXANDER STONAR, 350 acres lying on a creek next to the Gleab land, and north west upon a creek abutting upon the Otterdams—due, 100 acres for the personal adventure of John Cooke, who was the first husband of Jane Stonar, the now wife of the said Alexand'r Stonar, due said Cooke by the orders of the Treasurer and Company, Nov. 18, 1618, he having completed his time of service to the Company, as appears by a certificate by Sir George Yeardley, June 20, 1620; 50 acres for his [Stonar's] personal adventure; 50 for the personal adventure of his wife Jane, and 150 for the transportation of three servants: Richd. Runtile, Geo. Walton, and Richard Phillips. By West, June 22d, 1635.

(229) CAPTAIN WILLIAM PEIRCE, ESQ., one of the Councill of State, 2,000 acres on Lawnes Creek, adjoining the land now in the possession of Alice Delke [1] widow, and the land granted to Wm. Spencer—due for the transportation of 40 persons (names below). By West, June 22, 1635.

Head Rights: Mary Peese, Barbary Tanner, Tho: Dawson, James Harrison, Rich'd Burthen, Wm. Tompson, Edward Cockshott, Tho: Rolfe [2]. Jem: Eustis, Margaret Smalley, Jon: Pawley, Wm. Allin, Ja: Logat, Edward Hamer, Nicodemus White, Christ. Adkins, James Smalledge, Wm. Short, Wm. Edwards, Greg. Wells, Alice Lawson, Hen: Harrison, Wm. Weekes, Robert Brattaine, Richard Webber, Benj. Dodson, Jos. Newman, Jon. Browning, Geo. Eagle, Jon: Heath, Tho: Johnson, Jon: Sparkes, Jon. Lowe, Peeter Willoughby, Edmond Wilford, Math. Martledon, Alice King, Elizabeth Adams, Ann Drawter, John Bayant.

NOTES.

[1] Mrs. Delke, or Dilke, was the widow of Roger Delke or Dilke, who was Burgess for Stanley Hundred, 1631-'2. Their descendants appear to have lived in Surry, where the following notices occur in the records: (1) Deed, Surry, January 1st, 1656, for Roger Delke, of Lawnes Creek, gent., conveying land to Tobias Cooke, of the same place, planter; (2) Deed, Surry, December 5th, 1659, from Roger Delke, gent., to Captain Thos. Adams, for 100 acres, and on November 9th, 1659, — Alice Gregory, relict of Roger Delke, and mother of Roger Delke, who made the deed, gives her consent to the deed; (3) Deed, Surry, August 23d, 1661, from Roger Delke and Rebecca, his wife, for love and affection to his brothers, Francis and Robert Rennells, born of his mother, Alice Gregory (wife of John Gregory) by her husband, Nicholas Rennells, of Lawnes Creek, deceased granting to said John and Alice Gregory a tract of land in trust for said Francis and Robert; (4) Will of Roger Delke, dated October 28, 1692, proved July 4, 1693, legatees: eldest son John, daughter Rebecca (a large silver cup, two gold rings and silver bodkin), youngest sons Roger and Joseph, wife Elizabeth; (5) Deed from Joseph Delke, of Surry, 1735; (6) Will of Roger Delke, proved April 29, 1773.

[2] This was doubtless the son of John Rolfe, and gives, approximately, the date of his arrival in Virginia. Wm. Peirce, the patentee, was the father of Jane, the third wife of John Rolfe. For Thomas Rolfe see *Virginia Historical Magazine*, Vol. I, 446-47. For Captain Wm. Peirce see same volume and page.

(230) SILVESTER TOTMAN, 100 acres in Martin's Hundred, in the county of James, adjoining on the west the land of Thos. Smith, and on the south a branch of Kethes Creek—Due for the transportation of two persons, Richard Ascough and Henry Cooper. By West, July 21st, 1635. This patent was renewed by Gov. Harvey in the name of Thos. Smith.

(231) THOMAS SMITH, 250 acres in Martin's Hundred, adjoining "Mr. Weaver his plantation," and Edward Hale's plantation—due 50 acres

for his own personal adventure, and the remainder for the transportation of four persons, Jon. Vining, Jon. Giss, William Townend, and Francis Coffin. By West, July 21st, 1635.

(232) DAVID MANSELL [1] 500 acres in Martin's Hundred, in the county of James, adjoining the plantation or neck of land now in the possession of said Mansell, and also adjoining Mr. Barham's [2] land—due for the transportation of 10 persons (names below). By West, July 22d, 1635.

Head rights: Francis Sawyer, Richard Kencott, Jones Evans, Jon. Smalledge, Tho. Powell, Wm. Crouch, Wm. Heyley, George Burtlock, Eliz. Lewis, Jon. Burnett.

NOTES.

[1] David Mansell (sometimes spelt Mansfield, and Mainsfield) was a Burgess for Martins Hundred, February, 1632-3.

[2] Anthony Barham was member of the House of Burgesses for Mulberry Island, March 1629-'30. An abstract of his will has been published in the *New England Historical and Genealogical Register*. It is as follows: Anthony Barham, of Mulberry Island, in Virginia, Gent., and at the present resident in England, Sept. 6, 1641, proved Sept. 13, 1641. Reference to a will made before departure from Virginia. Wife Elizabeth to be sole executrix. Reference to goods and chattels, money, &c., due him in England. Goods and commodoties to be sent over to England to his wife. Money due him by Mr. Thomas Lyne. £100 to be sent over to his wife for the use of his daughter Elizabeth. To his mother Bennet, £5. To brother-in-law Richard Bennet £5. To sister Mrs. Mary Duke, £5. To sister Graves, 40 shillings. To friend Edward Major, £10. To friend and gossip Wm. Butler, £10. To Mrs. Joane Perce, wife of Mr. Wm. Perce, 50 shillings to make her a ring. To Martha Major, wife of his loving friend, 50 shillings to make her a ring. To his god-daughter, Sarah Butler, daughter of his said gossip Wm. Butler, 30 shillings for a wine cup. To his loving friend Mr. Edward Aldey, minister of St. Andrews in Canterbury, 40 shillings to make him a ring. Mr. Edward Aldey to deliver to his executors the deed of covenant touching the £226.10sh. due testator from said Mr. Thos. Lyne. Edward Major and Wm. Butler to be executors of his will in Virginia, and gives them £3 each for rings.

(233) EDWARD MINTER, 250 acres in the county of James, over against Dancing Point, on the south side of the river, and on the east side of a small creek called Sunken Marsh Creek, and extending along the bank of the river—due said Edward Minter, as son and heir of his father Richard Minter, deceased—50 acres due the said Rich'd Minter for his personal adventure, 50 for the personal adventure of his wife Anna Min-

ter (mother of said Edward), and 150 for the transportation of his two sons Edward and John Minter, and one servant William Browne. By West, July 22d, 1635.

This patent was renewed by Governor Harvey in the name of Charles Foard.

"Teste me—

THO: COOKE, CL."

(234) THOMAS RAMSHAW, 50 acres in the county of Denbigh, lying west upon Warwick River and north upon the Deep Creek, and adjoining the land of one Burrows—due for the transportation of one servant. By West, July 27, 1635.

(240) THOMAS RAMSHAW, 250 acres in Elizabeth City county, adjoining on the east Christopher Stoakes his land, and on the south the New Poquoson River—due for the transportation of five persons. By West, July 27, 1635.

(241) CHRISTOPHER STOAKES, 300 acres in Elizabeth City county, adjoining the land of John Watson, and running westerly-towards Pocason Dams—due for the transportation of six persons (names below). By West, July 28, 1635.

Head Rights: Mill: Freeman, Saml. Watson, Richd. Shatboule, Hen: Hickman, Wm. Wattye, Hen: Powell.

(242) MR. GEORGE KETH, Clarke and pastor of Kiskeake [1], 850 acres in the county of Charles River [York] abutting on the north east on a branch of Cheesmans Creek, and south west on a "running brook which falleth into the Creek"—said land was granted him by order of Court, Feb. 26, 1634, and is also due to him as follows, viz: 50 acres for his own personal adventure, 50 for the personal adventure of his wife Martha, 50 for the personal adventure of his son John Keth, and the other 700 for the transportation of 14 persons (names below). By West, July 29, 1635.

Head rights: Mr. Geo. Keth, Mrs. Martha Keth, Jon. Keith, James Whiting, Rebena Whiting, Thos. Cupperwhaite, Robert Deny, James Higginson, Hen: Merrick, Tho: Jackson, Jon. Gerrard, Marg. Wilson, Mary a negro, Jean Gargrave, Robt. Tempest, Elias Jones, Jon. Singolare.

NOTE.

[1] Rev. George Keith, or Keth, who Smith styles "a Scotchman who professed scholarship," was for a time a minister at Bermuda; but came to Virginia in 1617 in the ship "George." In the census of 1624-'5 his "Muster" includes himself, aged 40 years; James Whiting, aged 16, and John Keth, aged 11, all of whom came in the "George." In 1626 Mr. Geo. Keith owned 100 acres, which was planted, at Elizabeth City. Mrs. Susan Keith was reported among the dead at James City in 1624.

This was probably a first wife of Rev. George Keith. Keth or Keith's Creek, so often referred to in the grants, is believed to have derived its name from him.

(243) SAMUELL SNEADE, 200 acres of Land in the county of James, at the head of Kethe's Creek, beginning at a cross path, &c., and adjoining the land of Samuel Grige and Thomas Smith—due 50 acres for the personal adventure of his wife Alice, 50 for the personal adventure of his son Wm. Sneade, and 50 for the transportation of one servant, Henry Vinllard. By West, Aug. 4th, 1635.

(244) GEORGE HOLMES, 150 acres in James City county at the head of a creek which parts Archer's Hope from Jocke's Neck, and adjoining the land of John Johnson, called Jockey's Neck—due 50 for his personal adventure, 50 for the personal adventure of his wife Rebena, and 50 for the transportation of a servant, Thos. Browne. By West, Aug. 4, 1635.

(245) WILLIAM BERRIMAN [1], 150 acres in the County of Accomack, on the old plantation Creek, adjoining the land of Henry Careleys, called by the name of "fishing poynt neck," and bordering on the creek that parts the land of Henry Bagnell from the said neck—due 50 acres for his personal adventure, and 100 for the transportation of two servants, John Causey and Edward Prince. By West, Aug. 6, 1635.

NOTE.

[1] In December, 1633, William Berriman was a church warden in Accomack. On July 9, 1634, he stated in a deposition that he was aged thirty-three years. In May, 1639, he was one of three persons recommended for sheriff. (*Accomack Records*.)

(246) JOHN DENNETT, 200 acres in the county of James on the north side of Mr. Thomas Kingston's [1] land (only a barren ridge of land between), thence running northerly into the forest between Martin's Hundred and Kiskyach, to a branch of Captain John West's Creek—due for the transportation of four persons, John Ley, Jon. Rowland, Anselm Rickey, Ann Combey. By West, Aug. 10, 1635.

NOTE.

[1] Thomas Kingston was a member of the House of Burgesses from Martin's Hundred in October, 1629. He was surveyor-general of Virginia, and died in 1636. His widow married Thomas Loving (*General Court Records*).

(247) MR. WILLIS HELV, Clarke and Pastor of Mulberry Island, 250 acres in the parish of Mulberry Island, beginning at a place called the

otter dams, and adjoining the land of Thomas Harwood, now in the tenure of Daniel Lane, and bounded southeast by "the mills," west by the land of Thos. Nowell deceased, and lying south towards the land of Captain Thos. Flint. The said land was granted by order of Court dated June 6th last past "upon a two fold consideration, first in reward of his faithfull paines in the Ministrie, exemplified by a Godly and quiet life, thereby seconding his doctrine, next as a spurr and encouragement for others of his calling to pursue so faire and bright an example." By West, Aug. 17, 1635.

(248) WILLIAM DENHAM, 300 acres in Warresquoiacke River, about three miles up, and opposite the land of Mr. Butler—due for the transportation of six persons. By West, Aug. 26, 1635.

(249) CAPTAIN JOHN WOOD, 650 acres in the courtly of James beginning at a Sandy Point on the main river side—said land being granted him by order of Court, Jan. 4, 1635, upon several considerations and conditions set forth at large in said order. By West, Aug. 20, 1635.

(250) CAPTAIN FRANCIS EPPES [1], 1,700 acres in the county of Charles, lying east upon Bayly's Creek, west upon Cosons [Cawsons] Creek, by Appomattox river, and north upon the main river—due 50 acres for his personal adventure, and 650 for the transportation of three sons and 30 servants (names below). By West, August 26th, 1635.

Head rights: Captain Francis Epes, Jon. Epes, Fr. Epes, Thomas Epes, Jon. Long, Jon. Baker, Thos. Warden, Jon. Joyce, Tho: Foanes, Tho: Cropp, Richard Stayte, Richard Heutt, George Addams, Sarah Hickmore, Thos. Pattison, Anthony Box, Jonathan Ellison, Barth. Swinborne, Silvester Atkins, Robert Fossett, Ju. Rowland, Ann Turner, George Archer, Hugh James, Jon. Nowell, Bashaw, Juliana, Andrea, Magdelina, Sersent, negar, Rich. Litchfield, Edward Ames, Susan Mills, James Long.

This patent was renewed by Sir John Harvey.

NOTE.

[1] Captain, afterwards Lieutenant-Colonel, Francis¹ Eppes, or Epes (for the name was spelt indifferently, either way), was a member of the House of Burgesses, 1625 (*Sainsbury Abstracts*), for "Both Shirley Hundreds, Mr. flarrar's and Chaplayne's" in February, 1631-'2 (*Hening I*, 154); commissioner (justice) of Charles City and Henrico, 1631, &c.; for Charles City, January, 1639 (*Virginia Historical Magazine*), 1645 (*Hening I*, 299), and elected member of the Council, April 30, 1652 (*Hening I*, 372). He probably died before 1655. He married —, and had issue, as shown by the patent, three sons: 2. *John*,² 3. *Francis*,³ 4. Thomas.

GENEALOGY.

THE FLOURNOY FAMILY—The concluding installment of The Flournoy Family, by M. Flournoy Rivers, of Pulaski, Tenn., will not appear until the April number, 1896. In the meantime it is hoped the work will take definite shape to compile and print a Flournoy Family-Book.

CARR GENEALOGY.—Near top of page 210, Carr Genealogy, Vol. III of Magazine, are two errors in names: Top line, "Bentmar" should be "Bentivar," and on fourth line, "Ferrill" should be "Terrill."

GENEALOGY OF THE COCKE FAMILY IN VIRGINIA.

PREPARED BY JAMES C. SOUTHALL.

In the lists of "Adventurers," as they were styled, in the charters of the Virginia Companies, 1609 and 1620, the name is spelled Cock, Cocks, Cox, Coxe. Stith spells it Cock; Burk, Cox; Alex. Brown, in his learned work "The Genesis of the United States," Cox, Cocks, Coxe, Cocke. The term "Adventurers" was not used in a bad sense. It referred to that spirit of adventure which made the seas swarm, in that morning of modern European civilization, with ships sent out from London and Bristol under the auspices of the English gentry and the Trades-Guilds of the English cities, to all parts of the world in search of undiscovered countries, and new avenues of commerce, and which led to the formation and incorporation of the Russia, the East India, the Northwest Passage, and the Virginia Companies, whose bold sea-captains—men like Drake, Raleigh, John Smith, Samuel Argall, the Powells, and scores of others—in their frail barks, roamed untterrified over all the ocean-wastes, laying the foundation of that great maritime empire which has made England in the nineteenth century—like the Phœnicians and the Greeks in the ancient world—the wealthiest and the busiest of nations.

THE COCKE FAMILY of Virginia is to be traced in four distinct lines: 1. The main line, of whom the propositus was Richard Cocke of Henrico, who came over to this country prior to 1632, in which year his name appeared in the list of Burgesses of the "Grand Assembly," as the early records denominate the first Colonial legislative bodies. He patented some 8,000 acres of land in Henrico county, and held the office of County Commandant or Lieutenant-Colonel of the County. 2. The second descending line is the Surry and the Princess Anne Cockes, whose progenitors were three brothers: Captain Thomas Cocke, William Cocke, and Walter Cocke; and their cousin, Captain Christopher Cocke; who came to Virginia about 1690, and settled in Surry and Princess Anne counties (in 1700-1716 Captain Christopher Cocke was Clerk of Princess Anne county, and about 1695 the family of Captain Thomas

Cocke intermarried with that of Colonel Lemuel Mason, the leading citizen of Norfolk county; while in 1699, William Cocke was a justice of Surry county, and both William and Walter justices of the same county in 1714, showing that they were persons of consequence from the very beginning). 3. The third line is that of Secretary William Cocke, of Williamsburg, the friend of Governor Spotswood, who came to this country from Suffolk, England, about 1705, and whose epitaph or memorial tablet is in old Bruton Church. Like the Princess Anne Cokes, his male line soon became extinct, and it is only in female lines that his descendants are represented. 4. The fourth line is that of the Cokes and Coxes of Lancaster, Middlesex, and Westmoreland. In 1658, Nicholas Cocke, and later his son, Maurice Cocke, are in Lancaster county and Middlesex (Middlesex was taken from Lancaster, 1675); and prior to 1700, Pressley Cox is in Westmoreland, where we also find in the early records the name of Fleet Cox.

The Henrico branch, descended from the five sons of Colonel Richard Cocke, or Coxe, as it is spelled in the beginning, were much the most numerous, and became prominent, not only in Henrico (where throughout the seventeenth and eighteenth centuries they seemed to divide the county influence with the Randolphs), but also in Charles City, Isle of Wight, Prince George, Goochland, Amelia, Cumberland, Powhatan, Chesterfield, and Albemarle.

The original seats of the Henrico Cokes were "Bremor" or "Bremo" and "Malvern Hills," the latter (Thomas Cocke³ lived there) some fifteen miles below Richmond on James river, just back of "Turkey Island," the dwelling-house which is yet standing being described as "one of the best specimens of old Colonial architecture," and the estate as one of the finest on the river. It passed out of the hands of the Cokes about the close of the eighteenth century to one of the Nelsons, James Powell Cocke⁴, on account of his health, removing to the county of Albemarle. It was here that one of the most sanguinary conflicts of the Civil War took place in the year 1862 in the battles around Richmond between the troops of General Magruder and a heavy detachment of the army of General McClellan.

London and Bristol, as already alluded to, were the chief centres of the activity of the various companies that sent out their emigrants and their ships to America and the "Summer Isles" at this busy period. Rich tradesmen—like the merchant-princes of Venice in the 16th century—extended their commerce to all parts of the world, and gallant sailors—some of them educated and accomplished men—sought adventures and lands on the Virginia coasts and in the Indian seas.

The composition and character of these companies will appear from the following statement (see "Genesis" United States, I, 228; II, 542): The incorporators under the second charter of the Virginia Company (1609), were 56 London companies and 659 persons, consisting of 21

peers, 96 knights, 11 doctors, ministers, &c., 53 captains, 28 esquires, 58 gentlemen, 110 merchants and 28 citizens, and others not classified. Of these 230 paid £37 10s, or more; 229 paid less than this sum, and about 200 were delinquent and failed to pay their subscriptions. At least 100 of them served in the House of Commons.

In the third charter (1620) there were 325 names: 25 peers, 111 knights, 66 esquires, &c. "The trader predominated in the second charter, while in this, three-fourths belonged to the gentry."

The price of one share of stock was £12, which entitled the payer to 100 acres of land.

"Of those who paid their subscriptions," says Mr. Brown, "about *one-third* came to Virginia and settled; about *one-third* sent over their agents or their heirs; and the remaining third sold out to others. These classes were the landed gentry, and they brought over another class as servants." *Ib.* II, 550.

We must take another statement in connection with this; it is made by a writer in the valuable and well-informed "*William and Mary College Quarterly*" (July, 1895, p. 28). The writer says: "In England at this time the trades were in high repute. The younger sons of the English gentry resorted to the cities, and became tailors, grocers, coopers, weavers, &c."

Our space does not permit us to comment on this, although it opens an interesting field. We only append the following, which our readers may investigate, from the Biographical Dictionary at the end of Vol. II. of "The Genesis of the United States":

"STUART, PRINCE HENRY, merchant tailor. Eldest son of James I: born 1594; died 1612 of typhoid fever."

Among the sea captains who came to Virginia and the Bermudas and Barbadoes occur the names of at least four Powells (1609-'20), and later (1690) of Captain Thomas Cocke, Captain Christopher Cocke, Walter Cocke, mariner, and Captain James Cocke, who appear in Princess Anne, Surry, and Isle of Wight.*

Richard Cocke, of Henrico, as we have stated, took up his abode at Bremono, which included, as would appear, the property called "Malvern Hills," which became the residence of the family of Thomas Cocke,¹ and descended to Thomas Cocke,² James Powell Cocke,³ &c., down to the beginning of the present century.

About thirty miles north of Bristol, in the west of England, running due north and south for a distance of about ten miles and with an average breadth of three miles, presenting very gentle acclivities in many parts, but its summit attaining a height of 1,444 feet, and commanding a wide prospect over the three great shires that converge around it, the Archæan Ridge of MALVERN HILLS, divides the county of Hereford

*About 1680 Captain James Cocke, of the ship *Barbadoes*, sails from Barbadoes to Isle of Wight.

from the county of Worcester, and on the southeast of these, on the south bank of the Upper Severn, with yet ampler dimensions, stretches the county of Gloucester—all three counties touching each other at a common point near the city of Gloucester.

It was this district and from Somersetshire and the neighboring counties of Wales, and from Warwick on the north, Devon in the southwest, Herts and the Isle of Wight in the south, and across the Bristol Channel from the coasts of Ireland, that, in Virginia, the counties of Henrico, James City, Charles City, Isle of Wight, Gloucester, Surry, and Prince George, were in great part settled.

It is important to observe that the names of the early colonial settlers in the James River Valley up to Henricus City *are the family names of Hereford, Gloucester, and Worcester*, and the neighboring districts referred to in England, Wales, and Ireland. This would at once become apparent to any one familiar with the history of the Virginia colonists, who would take the trouble to consult for a moment Walford's "County Families of the United Kingdom." London: Robert Hardwicke, 1860.

The names "Berkeley," "Bruton," "Shirley," and "Malvern Hills," on James River; Gloucester, Surry, Isle of Wight, Southampton, Warwick, Lancaster, prove the same thing.

"Berkeley" is from the Berkeleys of Bruton in Somersetshire, and the Berkeleys of Gloucester.* "Shirley" is probably after the Shirleys of Warwickshire. "Malvern Hills" is, of course, from Malvern Hills in Hereford and Worcester.

In 1636 Richard Cock, gentleman, patented 3,000 acres of land in Henrico, adjoining the land of John Pearce and Thomas Harris; in 1639 he patented 2,000 acres; in 1652, 2,842 acres; in 1664 Richard Cocke, Sr., and John Beauchamp patented together 2,974 acres on the south side of Chickahominy river. Cox, Cocks, Coxe, are family names in Hereford; the Beauchamps were from Worcestershire; Harris is a Gloucestershire name; Pearce is a very old Welsh name, Co. Brecon. A near neighbor of these was the Lygons from Worcestershire.

The Carys intermarried with the family of Richard Cocke about 1690. This was a Devonshire family, in the southwest of England, as were the Brays and Dukes; the Powells, Tylers, Lewis', Jennings, Llewellyns [Llewellyn Eps], the Jones' (Anthony Jones was Burgess from Isle of Wight, 1639), are Welsh names; Webb and Dennis are Hereford and

*Sir Maurice Berkeley, of Gloucestershire; Sir Charles Berkeley (son of Sir Maurice), of Bruton, Somersetshire; Richard Berkeley, Esquire, of Gloucester, who, with John Smyth, George Thorpe, and Sir Wm. Throgmorton, jointly owned and named the Berkeley-Hundred plantation.

This John Smyth (d. 1641) was no doubt the ancestor of John Smyth, who was a Burgess from Percies Point in 1632, and the John Smyth, of Warwick, who was Speaker of the House of Burgesses in 1658. Probably of Nicholas Smith and Arthur Smith, justices of Isle of Wight, 1680; and of John Smith, of Gloucester, 1702, and of Phil. Smith, sheriff of Gloucester, 1714.

Gloucester names. Secretary Thomas Ludwell was from Bruton, in Somerset, as was Captain Pawlett, member of House of Burgesses, 1619; Throgmorton is a family name in Warwick, as is probably Randolph; Bathurst and Wyatt are Gloucester names; Carter, a family in Hampshire and Isle of Wight; Archer, a very ancient family in Devon and Cornwall; Pryor, in Herts; Browne, in Hereford and Lancaster; Farrer, in West Riding of Yorkshire; Woodward (Eliz. Cocke married Lawrence Woodward, a descendant of Christopher Woodward, Burgess of James City county, 1629) is a family in Worcestershire; Dennis (Richard Dennis was sheriff of Charles City county in 1714) is an Irish family; so were the Battes. Peter Jones must have been Welsh, as he had a son or grandson named Cadwallader.

All these families lived near to the Gloucestershire port of Bristol, and almost within view of the summits of Malvern Hills.*

The head of the Cocks family in England, in 1860, was CHARLES SOMERS SOMERS-COCKS, of Eastnor Castle, near Ledbury, Herefordshire, his magnificent seat, being situated at the base of the Malvern Hills, about midway between the cities of Gloucester and Worcester. The heir-presumptive to the Barony of Somers was his cousin, the REV. CHARLES RICHARD SOMERS-COCKS, magistrate for Herefordshire.

THOMAS SOMERS COCKS, Esquire, of Thames Bank, near Great Marlow, Bucks, represented a younger branch of the family, and married Agneta, daughter of Right Hon. Reginald Pole Carew, of Antony, Cornwall.

REGINALD THISBLETHWAYTHE COCKS was a brother of above.

Lieutenant-Colonel CHARLES LYGON COCKST, of Treverlyn-Vean, Cornwall, was a third brother.

RICHARD SNEAD COX, Esquire, of Broxwood Court, magistrate and Dep. Lieutenant for County Hereford (High Sheriff 1858), was doubtless of same stock.

SIR WILLIAM COX, K. T. S., Ireland, was a lineal descendant of Dr. Richard Cox, one of the compilers of the Liturgy, and tutor to Edward VI.

ARTHUR ZACHARY COX, Esquire, of Harwood Hall, Essex, is another of this name.

EDWARD TOWNSEND COX, Esquire, of Balsall Heath, Worcestershire, belongs to a family which came over with William the Conqueror.

* "In 1685 William Slaughter," says the *William and Mary College Quarterly*, "was sheriff of Essex county In Burk, 'Slaughter of Cos. Gloucester, Hereford, and Worcester.'" January, '94, p. 157. Can it be that this district bore for a brief period this name—as for a brief period it did that of "Rappahannock"? Were the settlers on the Rappahannock also from 'Gloucester, Hereford, and Worcester'?

† "In Henrico the Cocks, the Lygons, and the Beauchamps were near neighbors. In England the Cocks family had intermarried with the Lygons, and the Lygons had intermarried with the Beauchamps—all three families living in Worcestershire and Herefordshire. Earl Beauchamp's name (1860) was Henry Beauchamp Lygon (of Madresfield Court, Worcester).

And there are several others. There was a celebrated Dr. DANIEL COXE, one of the court physicians of Queen Anne and under William and Mary, who was the chief patron and promoter of the Huguenot settlement in Virginia. See *Va. Hist. Col.*, V, p. 9, note.

It is hardly to be doubted that Richard Cocke, or Cox, who came to Virginia bringing with him the name of "Malvern Hills," was connected with these Cocks' and Coxes of Hereford and Worcester in England.*

With the little beginnings which we have described, the Cockes of Virginia established themselves in the James River Valley, and as time rolled on they intermarried with the families of the Pleasants', the Carys, the Harwoods, the Eppes', the Fields, the Poythress', the Randolphs, the Coles, the Masons of Princess Anne, the Webbs, the Farrers, the Claibornes, the Thorntons, the Ruffins, the Hartwells, the Hills, the Ashtons, the Brownes, the Peters and Allens of Surry, the Taliaferros, the Nelsons, the Bollings, the Archers of Amelia and Norfolk, the Innes', the Carters, the Lewis', the Minges, the Adams', the Cabells, the Smiths, the Nicholas', the Ruffins, the Shorts, the Kennons, the Barrons, the Harrisons, the Fitzhughs, the Custis', the Lees, the Bowdoin, the Barauds, the Chastains, the Egglestons, the Prestons, the Taylors of Southampton, &c.

At the close of the seventeenth century they were seated at Malvern Hills, Curles, and Bremono, in Henrico, and later at Shirley (Bowler Cocke,⁶ who married daughter of Colonel Edward Hill), Turkey Island, Bacon's Castle (Surry), Shoal Bay (Isle of Wight), Sandy Point (through Sarah Stewart Minge, daughter of Elizabeth Cocke,⁶ of Surry, and at the same time through Colonel Robert Buckner Bolling, of Centre Hill, descended from Robert Bolling² and Anne Cocke), Bremono, in Fluvanna, Bremono, in Powhatan (Ph. St. George Cocke).

The first glimpse that we get of this name in Virginia is an entry in the records of the Virginia Land Patents; "WILLIAM COX, of Elizabeth City, planter (lease for ten years), 100 acres in Elizabeth City. September 20, 1628."

The next is in a list of the members of the Grand Assembly for 1632, given in *Hening's Statutes*, Vol. I, p. 178, and among these names we find:

Both Shirley Hundreds, Captain H. Epes.

From Kethes Creek to Mulberry Island, Th. Harwood.

Warrasquyoake (Isle of Wight afterwards), Thos. Jordan.

Waters Creeke and upper parish of Elizabeth City, Captain Thomas Willoughby.

* The name Cocke is so exceedingly rare in England and in this country that it may be quite safely assumed that all who bear it are of a common stock. In the "American Christian Record," a volume containing lists of the clergy of all the religious denominations in the United States and Canada, 1860, giving 20 000 names alphabetically arranged, the name Cocke does not occur once; Cox and Coxie only five times (Episcopal clergy).

Weyanoke, Richard Coxe.

This is the manner of our introduction to Richard Cocke of Weyanoke.

In 1646, in a list of the House of Burgesses, we come again upon the name of *William Cocke*, and he represents Henrico, to which county he must have removed from Elizabeth City. He was no doubt a brother or relative of Richard, and perhaps died unmarried; he disappears as suddenly as he appears—we have no historian of that day.

In the Land Office Book, Vol. I, at end of grant, it is stated that *Lewis Cocke* "came over in 1635."

In 1635 William Prior patented 200 acres of land in Charles City, "bounded N. E. by Charles River (York Co.), south by his own dividend, and west by land of Lewis Cocke" (*Virginia Magazine History*, October, '95, p. 184). This is all we know of Lewis Cocke; he too was, no doubt, related to Richard.

In 1654, we have in *Hening* another list of the members of the Grand Assembly. Among them are:

Henrico, Richard Cocke.

Surry, William Batt, James Mason (later the Cockes intermarry with these Masons).

In 1658 there was a *Nicholas Cocke* in Lancaster county, and in 1673 a *Nicholas Cocke* (same no doubt) was naturalized, and in 1687 a *Nicholas Cocke* died in Middlesex county (coat of arms).

In Lancaster county the will of one Oliver Segar (1658) (mark) refers to his "friends Nicholas Cocke and Richard Lee," and one of his legates is a son named Randolph.

The pedigree of *Valentine Wood*, clerk of Goochland, 1753 (maternal ancestor of General Joseph E. Johnston and Valentine Wood Southall), represents that his father, Henry Wood, married *Martha Cox*, daughter of *William Cox*, at Brems, in Henrico, in the year 1723. This was a descendant of Richard Cocke¹ (for Richard Cocke² and Richard Cocke³ lived at Brems), and it is introduced to show that the name was spelled Cox as well as Cock (as has already appeared from Richard Coxe and William Cox). The well-known Cox family of Chesterfield are probably descended from this William Cox.*

We have mentioned that in Alexander Brown's "Genesis of the United States" the name is variously spelled Cocks, Cocke, Cox, Coxe, Cocke, as also in the early Virginia Chronicles.

In England it is only in old Pepys' book, 1688, (the Diary), that the word is spelled as we spell it in Virginia now. One of his principal characters is a certain "Captain Cocke," whom (I, 227) he describes as

* The Coxes of Chesterfield and Henrico are descended from John Cox, who lived near Dutch Gap in 1677. The Cockes of this period all lived in this neighborhood. John Cocke² was a son of Richard Cocke.¹—EDITOR.

"a man of great reputation and repute," and whose opinions he quotes on all occasions. He was connected (like Pepys) with the Admiralty, and had "a most pleasant seat at Gravesend." Pepys also refers to one Colonel Charles George Cocke, whom he mentions as having "formerly been a very great man," iii, 398.

In Governor Dinwiddie's correspondence (Dinwiddie Papers) during the French Wars, 1754-'55, he refers frequently to Captain Thomas and Captain William Cocke, and he spells the name *indifferently*—sometimes Cocks,* sometimes Cock, and sometimes Cocke.

There was a great deal of reckless independence in the spelling of that day, even in official documents, and especially in the seventeenth century: Poythress was Poythes and Poythers; Eppes was Epes, Eps; Flood was Fludd; Randolph was Randall and Randle; Percy was Persy, Peirse, Pierse; Byrd was Bird; Bland was written Blund and Blunt; Cabell was Kelbel; Baker was Becker; Powell was Powel, Powle; Calthorpe, Cailtropp; Ashton, Aston; Barbour, Barber; Brazier, Brazure. Brashear, Brasseur, Brassier, Brashaw; Goggin (according to Campbell, see his *History of Virginia*, page 164) was Colkin, Cockin, Cockayn, Cocyn, Cokain, Cokin, Gockin, Gokin, Gookin, Gookins, Gooking.

We should make a mistake in conceiving of the old Colonial times if we should call up the picture suggested by the title of Mr. Moncure D. Conway's recent book, "The Barons of the Potomac and the Rappahannock." There was a distinct gentry class in Virginia, and some of them, for that day, were quite wealthy, but they did not live in baronial castles, nor have the "pride, pomp, and circumstance" of the old feudal aristocracy of England, who maintained their estates by the system of entails. They were simply planters and farmers, and owned slaves [in the beginning there were a good many white servants], and ruled the counties. They had little learning. Books were very rare. Few of the planters had such a library as Colonel Richard Lee, of Westmoreland, 1715, or Edmund Berkley, Esquire, 1719. See *William and Mary College Quarterly*, April, 1894. Their inventories show that not many of them owned more than one or two dozen books, and the state of education is indicated by the fact that even men of property often sign their wills by making their mark. The spelling (as mentioned just above) is lawless beyond our imagination. In an old MS. will (written evidently by an attorney) the testator appoints his loving wife "the hole and soul executor of this my last will and testament."†

* Similarly we read of Captain John Wilcocks, who came to Virginia in 1623. His will is printed in the *New England Historical and Genealogical Register*. There was a John Wilcocks who was Burgess for Northampton, 1657-'8. A John Wilcox was Burgess for Nansemond in 1655.

† Jane Lightfoot, in 1649, signs her will with her mark. As late as 1730 the will of Harry Beverly, of Spotsylvania, who devises to his children a half dozen plantations in several counties, containing some 10,000 acres, is witnessed by four persons, all of whom make their marks.

Nor did our gentry ancestors live in fine houses. There were no bricks in the country and few good mechanics, little money, and at first *very few people*. They lived in the forest on the great River that swept silently to the sea that interposed between them and the civilization of Europe. A few miles up the river [where is now Goochland and Powhatan] were the *Indians*.

They had in the seventeenth century few cattle, few horses, and the importation of negro slaves had only been a short time in progress. There were in 1648 about 15,000 whites and 300 negroes in the Colony. The number of horses was 250; of asses, 50. In 1670 the whole population was 40,000, of which 2,000 were negroes, and 6,000 white servants.

When we recall the fact that in Virginia at the close of the late war, there were few country houses containing more than eight or nine rooms and a kitchen, we should not expect the Virginia planters of the first colonial century to possess very spacious dwellings. In those days places like Warner Hall, Westover, Rosehill, Rosegill, Stratford, which numbered perhaps sixteen or seventeen rooms, were the exception; few of them had more than six or eight rooms. The rooms are often enumerated in the inventory: Mr. Samuel Timson, of York (1704), had seven rooms in his house; Rosegill, the residence of Ralph Wormley, esquire, President of the Council and Secretary of State (1701), one of the greatest and wealthiest men in the Colony, contained nine rooms. The inventory of Ralph Wormley's personal property was £2,861. Samuel Timson owned 14 negroes, 10 horses, 78 cattle, &c. Inventory, £472.

The total inventory of Colonel Thomas Ballard of 1707, one of the most famous men of that period, amounted to £603, comprising 18 slaves, 6 horses, 51 cattle, 70 oz. of plate, &c.* Mrs. Elizabeth Digges, widow of Governor Digges, left (1692) personal property amounting to £1,102.†

These inventories (applying of course only to the personal estate) throw a good deal of light upon the condition of the gentry. That of John Washington (son of the immigrant), who died 1712, amounted to £377 3s. 6d. (See *William and Mary Quarterly*.) That of John Carter, Jr., of Lancaster, however, (1690), included 71 slaves, and 63 books

* The *wants* of the people in those old days were exceedingly few, so that a little money went a great ways. This is illustrated by the salary paid the ministers of the Established Church, which was 1,600 pounds of tobacco, equal to about \$60, which is estimated in purchasing power as equivalent to about \$500 of the present day.

In 1665 Lord Paulett, of England, to whom his brother, Captain Thomas Paulett, of Virginia, had in 1644 devised the Westover estate on James river, sold the same, 1,200 acres, to Theoderick Bland, for £170, which was about 50 cents an acre, equal to about \$5 now. In 1688 the Blands sold it to Colonel William Byrd for £300 sterling and 10,000 pounds of tobacco.

† The pound of that day was 20s. of the value of 16½ cents each shilling. Money went a great deal farther than it does now. £5 was about equal to \$150.

in various languages. The inventory of Thomas Jefferson (1696), one of the justices of Henrico, and grandfather of President Jefferson, amounted to £97 16 06½, including "1 p'cell of old books, 10s." *Virginia Historical Magazine*, ii, 236; i, 209.

One of the features of the earlier Colonial period which has attracted our attention in the progress of this investigation is the comparatively *short duration of life*; and 2. *The frequency of marriage*. They died young, and there was brief delay on the part of the survivor in finding a new companion. We have to meet with the first instance of an octogenarian; they rarely passed 50 or 60; and they all seem to have married twice—and some four and six times. See examples of this last *Virginia Magazine of History*, ii, 237; iii, 61.

After the County Lieutenant, the most important officer in the county in Colonial times was the *County Clerk*, who was not only the clerk, but whose house was the *Clerk's Office*, where the county records were kept, and who was probably the legal adviser for the people in general at a time when educated lawyers at least did not abound. The office also brought in a certain salary, probably greater than the products of the plantation; official position too in that day carried with it a great deal of power and importance, as is the case in all monarchies and even in Republican governments in Europe at the present day. The Clerk was, therefore, what that champion gossip, whom we have quoted, Samuel Pepys, denominates "a very great man," and he was always not only taken from the gentry, but he was the leading, or one of the leading men, in the county. This is illustrated by referring to a list of county officers for any year, some of which are yet preserved. The following are from the official records of 1702: We have in Charles City, Benjamin Harrison, clerk; in Elizabeth City, Nicholas Curle; in Essex, ffr Meriwether; in Gloucester, Peter Beverly; in Henrico, James Cock; in King & Queen, Robert Beverly; in King William, Wm. Aylett; in Stafford, William Fitzhugh; in Warwick, Miles Cary, &c. Next in importance to the Clerk was the Sheriff, who was appointed by the Governor. In 1702 the sheriffs were: York county, Henry Tyler; New Kent, Nicholas Merriwether; Middlesex, Sir William Skipwith; Lancaster, John Tayloe; King William, John Waller; Henrico, Giles Webb [Captain Thos. Cocke³ had been sheriff (1699), and was sheriff in 1707, but he was now (1702) in the House of Burgesses]; Gloucester, Peter Kemp, &c. Robert Bolling* was Surveyor in Charles City; Edm'd Scarburgh in Accomac; Charles Smith in Essex; Miles Cary (there were two at this time; one of them married Elizabeth Cocke, daughter of Richard Cocke³ of Bremono in Gloucester; James City, James Minge, Jr.; King and Queen, Henry Beverly; New Kent, James Minge, Sr., &c.

* His son, Robert, in 1706, married Anne Cocke, and had issue: Lucy (Cocke) Bolling, who married Peter Randolph, of Chatsworth, and Martha (Cocke) Bolling, who married Richard Eppes, Burgess from Chesterfield; and Robert, of Bollingbrook, father of Robert Bolling of Centre Hill. See History Bristol Parish, p. 141.

When Thomas Cocke, Sheriff of Henrico, died in 1707, he was succeeded by William Randolph, whose competitors for the office were Lieutenant-Colonel Francis Epes and Major William Farrar, two of the most influential names in this county at that period.

There is on record (see *Va. Magazine History*, October, '75) in Henrico Courthouse a certificate in behalf of Colonel Edward Hill, of Charles City, which gives the following names of the members of the Henrico County Court at a session held in 1680: Mr. Thomas Cocke, High Sheriff; Colonel Wm. Byrd, Lieutenant-Colonel John Farrar, Mr. Richard Cocke, Sr., Mr. Abell Gower, Mr. Thomas Batte, Mr. Peter Field, and Mr. Richard Kennon.

Lieutenant-Colonel Richard Cocke¹ was in the House of Burgesses in 1632 from Weyanoake; again in 1654 from Henrico. William Cocke was a Burgess from Henrico in 1646. In 1702 Thomas Cocke,² grandson of Richard, represented Henrico in this body. Thomas Cocke³ (son of Richard) was sheriff 1680-88. Thomas Cocke³ (grandson) was sheriff in 1699 and 1707, and in the interim between these dates was probably either sheriff or member of the House of Burgesses. James Cocke, son of Thomas, was clerk of the county, 1691-1707. In 1680, 1699, 1702, 1714 (and no doubt in intervening years), Richard Cocke and Thomas Cocke were members of the county court. In 1728 Bowler Cocke⁴ succeeded William Randolph as clerk, which office he held until 1751, when he was succeeded by his son, Bowler Cocke,⁵ who was clerk until about 1762. In 1752 Bowler Cocke⁵ was a member of the House of Burgesses, and his son, Bowler Cocke,⁶ was in the House of Burgesses in the famous session of 1766. Colonel Allen Cocke and Hartwell Cocke (Surry) were also members of both the last-named bodies. Hartwell Cocke was in the Convention of 1788.

We have indulged in this somewhat protracted dissertation on the Colonial age because it seemed to us necessary to give a certain *entour*s and setting to the genealogy which is about to follow, and which would otherwise be a mere barren list of names without associations and without significance.

We will begin our next instalment with the descendants of Richard Cocke.¹

TO BE CONTINUED.

NECROLOGY.

WILLIAM NOEL SAINSBURY.—We are indebted to the "American Antiquarian" for the following full and appreciative sketch of Mr. Wm. Noel Sainsbury, long an honorary member of the Virginia Historical Society, and the author of the valuable abstracts of English Public Documents now in the Virginia State Library: William Noel Sainsbury died on the 9th of March last at his residence, 151 Southerland avenue, Maida Vale, London, in his seventieth year. Mr. Sainsbury was born at 35 Red Lion square, Holborn, London, on the 7th of July, 1825. He was the third son of John and Mary Sainsbury. On April 1, 1848, young Sainsbury began his long career in the public service by accepting a nomination to the State Paper Office as extra temporary clerk. This position he resigned on his appointment as extra clerk, on November 28th of the same year, and he was still serving in this capacity at the date of the amalgamation of the State Paper Office with the new Public Record Office, in the year 1854. In those days promotion came slowly for the staff, and Mr. Sainsbury did not reach the grade of a senior clerk until August, 1862. Then came another halt, and it was only in November, 1887, that he became an assistant keeper of the Public Records. In December, 1891, Mr. Sainsbury retired after a public service of more than forty years, but although his official connection with the Record Department had ceased, he continued to edit the great Calendar of Colonial State Papers, with which his name will ever be associated. In spite of failing health, he was usually to be found at his desk in a pleasant room overlooking the great Repository in Fetter Lane, surrounded with printed works of reference and with files of the State Papers, which he used and guarded with the utmost care and reverence. Indeed, there was nothing that distressed and angered him so much as to see the evidence of careless handling on the covers or margins of these priceless records. During these last years Mr. Sainsbury had the advantage of the assistance of his daughter, Miss Ethel Sainsbury. All who have carefully studied the series of Calendars of Colonial State Papers, and especially those who have had the benefit of Mr. Sainsbury's personal assistance and advice in their researches, will easily understand the force of his saying, addressed to the members of the American Antiquarian Society in a paper presented by him at Boston little more than two years ago: "I have made lifelong study of these Colonial Records," and "there is scarcely a writer of history in your Great Republic, whom, during the past forty years, I have not had the honor of assisting in a greater or less degree."

But besides his association with the work of individual historians, from first to last, Mr. Sainsbury showed the deepest interest in the useful labors of the admirable Historical Societies which had sprung up, or, at least, had been largely developed during the period of his own literary activity. The perpetuation of the original materials for the history of the primitive Colonies by the Governments of the Modern States, was a work which he was never weary of advocating and encouraging—just as he was never weary of praising the Documentary Histories of New York, North Carolina, and other State publications as monuments of patient research and of sound scholarship. During the last two years of his life he was actively engaged in superintending the transcription of the Historical Papers relating more especially to South Carolina, with whose flourishing Historical Society, and with the government of its neighbor State, he had for a long time past been in constant correspondence.

Naturally, Mr. Sainsbury's name was frequently and gratefully mentioned in most modern works of research connected with the History of America and the West Indies. He was also an honorary or corresponding member of most of the principal Historical Societies of the New World. The wide reputation which he thus enjoyed was not merely derived from his exceptional position as a custodian of the State Papers and as an official expert in their arrangement and contents, but mainly from the sound and scholarly work accomplished by himself as the editor of the Colonial Calendar in the Rolls Series. The first volume of this Calendar made its appearance in 1860. It was followed in 1862 by the first volume of the Calendar Papers relating to the East Indies, China and Japan. Henceforth the Colonial Calendars were usually issued in alternate volumes, nine of which have been published to the present date.

In addition to the Colonial Calendar, Mr. Sainsbury published several valuable papers on Colonial History, together with an historical narrative, published in 1870, based on the History of the West Indies, under the title of "Hearts of Oak." He was also the author of a Life of Peter Paul Rubens, published in 1858, which still ranks as one of the best authorities on the subject.

Mr. Sainsbury was twice married; in 1849, to Emily Storrs, second daughter of Mr. Andrew Moore, by whom he had two sons and eight daughters, of whom all but three survive him. He married a second time, in 1873, Henrietta Victoria, youngest daughter of Mr. John Hawkins, and widow of Mr. Alfred Crusher Anger, whom he survived several years. It will be easily believed that Mr. Sainsbury was universally liked and respected by his friends and colleagues. He was, indeed, like most officials of the old school, punctilious and unbending in his adherence to official forms, but he could well recall the time when a Cabinet Minister was not permitted to examine State Papers relating to his own department without the authority of the Secretary of State, yet his un-

failing courtesy and his unwearied zeal in the best interests of historical research will always endear his memory to all with whom he was brought in contact, and to all who still have those interests at heart.

JOHN BARBEE MINOR, LL. D., for fifty years Professor of Law in the University of Virginia, died at his home at the University on July 29, 1895, in the eighty-third year of his age. He was born in Louisa county, Virginia, June 2, 1813, the son of Launcelot Minor, and the youngest of nine children. He attended the neighborhood schools until about the age of sixteen, when he was sent to Kenyon College, walking the entire distance in the company of a young kinsman. In January, 1831, he entered the University of Virginia, where he remained for three sessions, graduating in several of the academic schools, and finally, in June, 1834, receiving the degree of Bachelor of Law. His teacher in the school of law in which he was destined to win such distinction was Professor John A. G. Davis, the second occupant of that chair; and during his whole course as a student at the University he taught school in the family of Prof. Davis. After his graduation he began the practice of his profession at Buchanan in Botetourt county, Virginia. After about six years at the Botetourt bar, he moved to Charlottesville and formed a partnership with his brother, Lucian Minor, afterwards professor of law in the College of William and Mary. In 1845, at the age of thirty-two, he was elected to the professorship of law in the University of Virginia. From the time of his appointment until 1851, he was the sole teacher of law at the University. In the latter year, James P. Holcombe was appointed Adjunct Professor of Law, and the classes were increased from two to three; three years later Mr. Holcombe was made full professor, and in 1856, the course was expanded into two departments of two classes each, Mr. Minor becoming professor of common and statute law, and this form was continued until very recent years, when great and important changes were made in the course. During the period of the civil war, he again maintained the entire burden of the law school, but was relieved of the double duty in 1866 by the appointment of an additional teacher. In 1870 he began his private "Summer Course of Law Lectures," extending over two months of the University vacation, which have become so popular with beginners and practitioners of all ages. The class of 1874 numbered twenty members, and from that time the numbers rapidly increased to an average attendance of about ninety in recent years, attaining in 1892 to a maximum of one hundred and twenty-one. This was the first course of the kind ever offered in this country, and was the pioneer of the numerous summer schools which have become a feature of so many of our universities and colleges.

For many years after the beginning of his career at the University a skeleton analysis of each lecture was written by him on the blackboard, and thence copied by the class; for some years prior to 1875, these were

lithographed, to the great relief of both teacher and pupils. In the latter years the first and second volumes of the "Institutes of Common and Statute Law" were published. Their fourth edition appeared in 1891 and 1892. In 1878 the first edition of the fourth volume was published, and its third edition in 1893, in two parts. The third volume was delayed, being first issued in instalments in pamphlet form for the use of his classes, but finally, in 1895, being completed in two books and issued as a second edition. In 1894 he published in one volume an "Exposition of the Law of Crimes and Punishments."

Of that great work, the "Institutes," it is not necessary to speak more particularly here. Undertaken originally with the purpose of presenting in print a mere tabular analysis of his course of instruction, intended primarily for the use of his own students, and put forth so modestly in 1875, it has passed through edition after edition, has become indispensable to the Virginia lawyer, and is cited as authority in all the courts, including the Federal Supreme Court.

It is probable that his superior as a teacher of law has never lived. It is not the voice of affection or flattery merely that has so declared; it is the deliberate judgment of mature minds that have reflected on the subject. Certain it is that in the great work of his life he achieved a success unparalleled in any age or country. Much of that success was undoubtedly due to his method of instruction, the salient feature of which was the analytical system of Hale and Blackstone, which was carried by him far beyond anything ever before attempted.

No sketch of Mr. Minor would be complete that failed to mention his love for the University of Virginia and his devotion to all its interests. These were manifested on more than one occasion when almost the very existence of the institution seemed at stake. Thus, during the war, on the occasion of Sheridan's march from the Valley, it was only after the most persistent personal efforts of Mr. Minor and his colleague, the late Dr. Maupin, that a guard of Federal soldiers were secured to prevent the pillage and not improbable burning of the buildings; the two professors meanwhile leaving their families unprotected from the annoyances and depredations of the stragglers and camp-followers. Again, in the summer of 1865, when the University treasury was empty, the buildings in great dilapidation and reported throughout the country as actually and totally destroyed (having been confounded with the Virginia Military Institute, which had been burned by the Federal soldiery), and when the gloom of those troubled times had settled over Faculty and Visitors alike, the latter having adjourned in despair, Mr. Minor and Dr. Maupin again came to the rescue, and alone, in their own names and on their own credit, borrowed from a bank in Charlottesville the money necessary for systematic and extensive advertising, and to make the needed repairs (which they superintended in person), and in other ways to prepare for the session of 1865-'66. They were rewarded for their diligence

and self-sacrifice by a matriculation list of more than four hundred students; and so well did they manage the affairs of the session that they paid back the money they had borrowed, paid all the current expenses, and handed over a surplus to the Board of Visitors when they met again in June, 1866.

His faculties were wonderfully preserved to the very last. A well-spent life had brought him its richest reward—a mature old age, a perfect ripeness without decay, and with all life's longings and restlessness calmed into peace that was perfect and satisfied. He died at his post, as he would have desired. He taught through the last session of the University, and had begun his summer course when the summons came.

J. C. L.

MISS M. G. MCCLELLAND was born on the 5th of August, at Norwood, Nelson county, Va. Her father, Thomas Stanhope McClelland, was the eldest son of T. S. McClelland and his wife, Margaret Cabell, of Union Hill. Her mother was Miss Maria Louisa Graf, eldest daughter of Frederick C. Graf, of Baltimore. Miss McClelland lived where she was born, in Nelson, until she was about two years old, when her father and mother moved to Elm Cottage, Buckingham county. There she lived and grew to womanhood.

Her first printed productions were some dialect poems in the Louisville *Courier-Journal*. Her first book was "Oblivion," which was published in 1885. This was followed quickly by "Princess," "Jean Monteith," "Burkett's Lock," "Madam Silva," "A Self-Made Man," "Ten Minutes to Twelve," "The White Heron," "Eleanor Gwyne," "The Nameless Novel," "Broadoaks," "The Old Post Road," "The Wonder Witch," "Manitou Island," "Mammy Mystic," and "St. John's Wooing." She also wrote a number of short stories, which have come out in different magazines.

Miss McClelland wrote rapidly, but always put the best of herself in her works. As an author she was one to be admired; but where she was most attractive was in her quiet home life, being always bright and sunny—always ready to lend a helping hand where ever it was needed. Her professions were few, but her deeds of kindness and devotion were many. She was the most loving of daughters, the truest and most loyal of sisters, and the warmest of friends. She was taken ill the first part of January, 1895, and during the seven months of her illness, no one heard an impatient word from her. Through all her suffering she had a little smile and a "thank you" for who ever did anything for her. Her death occurred at "Elm Cottage," on the second of August, 1895.

A. L. M.

WILLIAM FRANCISCO SPOTSWOOD, the son of Dandridge Spotswood and Catherine Francisco, was born in Petersburg on the sixteenth of February, 1828, and died there April the thirteenth, 1895.

He was the great-great-grandson of the Colonial Governor, Alexander Spotswood, being an equal distance in descent from him with his kinsman General Robert E. Lee, and inherited much of the prudence, discretion, industry, and energy that characterized his illustrious ancestor. His teachers, Miss Mary Gordon, Mr. Wm. Spencer Childs, and the Faculty of the Petersburg Classical Institute, gave testimony to his diligence and steady progress. He intended to study medicine at the University, but the death of his father in September, 1849, changed his plans, and he became a druggist and apothecary. Methodical and painstaking in art and business, he was not only a successful merchant, but perhaps trained more and better druggists than any man in the State. During the war his skill was employed in hospital service by Surgeons Porcher and Hines, of the Confederate medical staff, although he served for some time in the trenches, being stationed at Battery Five on the river the week prior to the "Citizens' Fight," June 9th, 1864.

Mr. Spotswood, although not an ambitious man, and always shy of conspicuous notoriety, was a man of affairs among his fellows. He succeeded Mr. Andrew Kevan as chairman of the City School Board, having long been a working trustee, and administered its duties with ability and discretion. He was for more than ten years treasurer of the Gas Company, and for twice as long a period president of the Aqueduct Company, succeeding the late Judge Wm. T. Joynes. A faithful Mason, he held the office of Deputy Grand Master. He was an honorary member of the Mechanics Benevolent Association. He was for years president of the City Council and acting Mayor. A Presbyterian in belief and practice, he often expressed his admiration for that comprehensive formula of Christianity, the "Assembly's Catechism." Scrupulously exact in matters of business, he guarded the approach to every obligation. Frugal and industrious, he taught economy by its proper practice, and these old-fashioned virtues shone in his daily habit of life.

An enthusiastic lover of history and antiquarian, he early formed the habit of preserving printed extracts of value, drawings, engravings, documents, pertaining to State, municipal or private history, in securely bound books, of which fourteen volumes remain as monuments of his care and diligence. These books contain valuable information upon historical and genealogical topics gathered from reputable journals, are full of illustrations, and go back to 1798. They excel in value any similar collections except those made in the same manner by the late Charles C. Campbell.

Mr. Spotswood was not a showy, not an ostentatious man. Many acts of his private beneficence have come to light since his death. A group of sincerely attached friends, who were wont to gather around him at

twilight, are strangely bereaved, missing his cheery greeting, the practical common sense of his talk, devoid of all malice or ungenerous criticism, now and then garnished with dry but good-natured humor. When shall we see his like again?

F. P. L.

HON. PELEG EMORY ALDRICH,* LL. B., LL. D., of Worcester, was born in New Salem, Massachusetts, July 24, 1813, and died in Worcester, March 14, 1895. He was a lineal descendant from George Aldrich, who came from England in 1635, and settled first in Dorchester, and afterward in Meriden. The descendants from this family are very numerous, and are now living in nearly every State of the Union. It has had its representatives in all the learned professions and both houses of Congress. Several of them have been judges in the courts of different States. Some have been known in literature. The majority have been farmers for seven generations.

Mr. Aldrich was not a graduate of college; although, after leaving the academy, he pursued, by himself, a course of study equal to that of a New England college. He was graduated from the Harvard Law School in 1844, receiving the degree of LL. B. He was admitted to the bar of Richmond, Va., in 1845, and in Springfield, Mass., in 1846. He began the practice of law in Barre, Mass., and continued there seven years. For three years he was editor and publisher of the *Barre Gazette*. He removed to Worcester in 1854, and entered into partnership with Hon. Peter C. Bacon, which partnership continued until he left the bar for the bench in 1873. He was a member of the Constitutional Convention, from Barre, in 1853, and was a representative from Worcester, in the State Legislature in the year 1866 and 1867, and took an active part in the debates and business of the House. In 1862 he was mayor of Worcester, and was interested not only in the ordinary duties of his office, but in the large number of soldiers, who were at that time in the army from Worcester. He visited them in their camps and hospitals, and used the means within his command to promote their comfort and efficiency. In 1870 he was appointed by Governor Claflin a member of the State Board of Health, a position which he continued to hold until his appointment to the bench.

Judge Aldrich was eminent as a judge of the Superior Court. He had a capacity for doing an enormous amount of hard work, and doing it rapidly, without apparent labor on his part. He was a well read lawyer, and had his resources well at his command. If he was somewhat stern and severe in his manner, he was always guided by his sense of justice. He was a judge of undoubted integrity and remarkable insight.

* This sketch is from the *New England Historical Genealogical Register*.

JOHN HANDLEY was born in Dublin, Ireland, in 1835, but emigrated at an early age to New Orleans. He graduated from Columbia Law School, New York city, and afterwards settled in Scranton, Pennsylvania. Here he practiced his profession. Foreseeing the growth of Scranton, he invested largely in real estate, and its appreciation in price made him wealthy. He organized the Merchants and Mechanics Bank, and the Scranton Savings Bank and Trust Company. He was elected judge of Common Pleas of Luzerne county in 1874, and at the organization of Lackawanna county, in 1878, became president judge of the Forty-fifth Judicial District of Pennsylvania, and held the office for ten years. He never held any other office.

Judge Handley was very charitable, assisting many young men to start in business, and educating many young men and women. He gave largely to the support of all public charities.

In character he was unostentatious, charging those whom he helped not to make it public. He was companionable and agreeable to close friends, but desired to keep his circle of friends small. A Democrat in politics, he refused to vote after the Electoral Commission decided Hayes elected.

Judge Handley was buried at Winchester, Virginia. His will provides for \$250,000 for founding and maintaining a public library at Winchester, Virginia; \$25,000 for Home of Good Shepherd, and \$50,000 for St. Patrick's Orphan Asylum at Scranton, Pennsylvania. After a few personal bequests, he left the residue of his property to the city of Winchester for an industrial school. His estate was worth about \$1,000,000.

SHELDON REYNOLDS, one of Wilkes-Barre's, (Pa.), best known and most representative citizens died last winter at Saranac Lake, New York, whither he had gone in the hope of securing some benefit for a pulmonary trouble which had strongly developed itself.

The Reynolds family is of English extraction. They came to Litchfield, Conn., in 1750, and were among the first Wyoming Valley settlers in 1769. William and David Reynolds were in the Wyoming massacre, the former being killed. Benjamin Reynolds, grandfather of Sheldon Reynolds, was born in Plymouth in 1780. He was one of the most prominent citizens in the Valley.

Mr. Reynolds was president of the Wyoming National Bank, the Wilkes-Barre Electric Light Company, the Wyoming Historical and Geological Society, ex-president of the Wilkes-Barre Water Company, and president of the Wyoming Commemorative Association. He had business interests in other directions in Wilkes-Barre and at Plymouth. Like nearly all of the family, he was a Democrat in politics, and for years had taken a deep and at times active interest in that party's behalf. He was chairman of the county committee in 1881, and no man who ever held the position labored more earnestly or with greater apprecia-

tion of its requirements. Introducing a number of reforms into the management of the party, he reduced it to regular business methods, and in that way secured during his incumbency an admirable organization.

Much of his time and energies were given for years gratuitously to the maintenance and advancement of the Wyoming Historical and Geological Society. He contributed a number of valuable papers published in the collections of the society. He was one of the most useful and energetic guardians of the Osterhout Free Library. He was a life member of the Pennsylvania Historical Society, Franklin Institute and the Wyoming Historical and Geological Society; member of the Virginia Historical Society, Bangor Historical and American Association for the Advancement of Science.

The last literary work he did was writing a paper on the Early Forts of the Wyoming Valley, a work which employed many hours of his last illness, and which was a thorough, comprehensive and brilliant exposition of the subject.

He was in all affairs with which he was connected looked up to as a man of sound judgment, clear intuition, and remarkable executive ability—honored by the community, respected by all who knew him, and a great favorite among his intimate friends.

PHILIP B. HOOE was born in Alexandria, Virginia, September 15, 1833, being the son of Bernard and Sarah Ellen Hooe. He lived there until 1847, when he went to Louisville, Kentucky, to school, so that he could get a residence there in order to secure an appointment in the navy. This plan he abandoned after two years' residence in Kentucky, and entered the United States Coast Survey. He left this about 1853, and returned to Alexandria, entering the firm of Fowle & Co., with which he remained until the town was evacuated by the Confederates, May 24, 1861.

He was the officer of the day on that date, and First Lieutenant of the Alexandria Riflemen, afterwards Company A, 17th Virginia. His first military service, however, was at the capture and hanging of John Brown, when he left Alexandria as a volunteer, and was appointed an acting lieutenant of the Alexandria Riflemen, to which position he was afterwards elected.

When General Corse got his brigade, Mr. Hooe was appointed to his staff as captain and A. A. G. He was wounded at Drewry's Bluff. After the war he again entered the firm of Fowle and Co., which he carried on until his death under the successive firm names of Philip B. Hooe, Hooe & Wedderbourn, Hooe & Johnston, and Philip B. Hooe. He married October 15, 1867, Mary Helen, daughter of John B. and Rebecca H. Daingerfield, who died April 21, 1878.

J. D. H.

JOHN OTT was born in Hagerstown, Md., July 22, 1834, and when quite a youth entered the United States Treasury Department, at Washington, in a clerical capacity. He rose rapidly in the estimation of the treasury officials, and on one occasion, during a brief absence of the Comptroller, acted as Comptroller. In 1861 he resigned his position at Washington, and coming to Richmond, accepted a place in the Confederate Treasury Department, where he remained until the close of the war, though he saw considerable service as a member of Captain Ellery's company, McAnerny' Battalion. He was with his company when Captain Ellery was killed at Hicks' farm, on the Westham road, where Dahlgren's last assault upon the Confederate lines was repelled.

At the evacuation of the city by the Confederate forces, Mr. Ott accompanied the Treasury clerks to Greensboro, N. C., and after the cessation of hostilities returned to Richmond. Upon the organization of the National Bank of Virginia, he was given a clerkship in that institution, and rose to the position of assistant cashier. Later, when Mr. Brown, president of the bank, resigned, and went to St. Paul, Mr. Ott went with him. He remained in that city some eighteen months, and then came back to Richmond, to enter the service of the old Southern Fertilizer Company, with which he continued until it wound up its affairs. Mr. Ott then took the cashiership of the City Bank, but subsequently removed to Roanoke, where, after holding for a while the position of cashier of a bank, he became connected with the Iron Belt Building and Loan Association as its secretary. This place he held at the time of his death.

Deceased was a man of wonderful range of information, especially upon economical subjects, and was a charming conversationalist. While a resident of Richmond, he was always in the forefront of any movement calculated to advance her interests. He frequently contributed to the daily press, and had the financial, commercial and agricultural statistics of the country at his finger's ends. For awhile he was associate editor of the *Southern Planter*, and as such, and through his connection with the Southern Fertilizer Company, was well known to the farmers of the South. He was public spirited to the last degree, and it may be truly said of him that he sacrificed his private interests to the public good. He was genial, warm hearted, and loyal in all his relations, and intensely devoted to his adopted State.

Mr. Ott was for a number of years a member of the Executive Committee of the Virginia Historical Society, and his services in that relation were of extraordinary value in increasing its membership and advancing the general objects of the organization.

J. W. J.

ORIN L. COTTRELL was born in Richmond, Va., September 9, 1845. He was educated in the schools of the city, and in 1867 entered into a

co-partnership in the hardware business with Mr. Claiborne Watkins, under the firm name of Watkins, Cottrell & Co. Several years ago, Mr. Watkins' health failing, he withdrew, and the firm name was changed to Cottrell, Watkins & Co., Messrs. William S. Robertson and A. Salle Watkins being admitted to partnership. Mr. Cottrell was a member of Fraternity Lodge, No. 53, A. F. and A. M., and St. Andrews Commandery, No. 13, Knights Templar. He served in the Armory Battalion during the war, and though in several engagements, was never wounded. Mr. Cottrell was for a number of years a member of the Executive Committee of the Virginia Historical Society, and always took an active interest in its affairs. He had accumulated a library containing much valuable matter relating to Virginian and American history. Quiet and unassuming in his manners and scholarly in his tastes, he enjoyed the respect, affection, and good will of his associates.

REV. WM. T. RICHARDSON, D. D., was born in the county of Charlotte in January, 1820. His father, Captain John D. Richardson, was a man of great industry, intelligence and influence. He was a successful planter, a public-spirited citizen, and at one time represented the county of Charlotte in the State Legislature. His mother, Elizabeth Spencer, was descended from a long line of ancestors, distinguished for social worth and devout piety. It was her supreme care to train her children religiously, and thus prepare them for the highest walks of usefulness.

Her son, William, after an academic training in his native county, was sent to Hampden-Sidney College, and graduated during the presidency of the Hon. William Maxwell. There were twelve members of the graduating class, one of whom was the late Colonel Charles S. Carrington, another Judge Frank Irving, of Farmville, and another Dr. Moses D. Hoge, of Richmond. Of the twelve men composing that class Dr. Hoge is now, since the death of Dr. Richardson, the sole survivor. Among the eminent professors of Hampden-Sidney College at that time was General Francis H. Smith, afterwards principal of the Virginia Military Institute at Lexington, who was succeeded in the Chair of Mathematics by Colonel Benjamin S. Ewell, afterwards president of William and Mary College. Another professor was the distinguished John W. Draper, so well known to the scientific world by his published works after he was transferred to the University of New York.

After Dr. Richardson graduated at Hampden-Sydney College, determining to become a minister of the Gospel, he pursued his studies in the Union Theological Seminary of Prince Edward, and subsequently held two pastoral charges—viz: one in Warrenton, Fauquier county, and the other in Waynesboro, Augusta county—after which he filled the Chair of Mental and Moral Philosophy for several years in the Augusta Female Seminary, of Staunton, so long successfully conducted by Miss Baldwin.

Dr. Richardson was twice married. After the death of his first wife, who was a Miss Patrick, of Augusta, he married Mrs. Tate, of the same county, who survives him.

In June, 1879, he removed from Staunton to Richmond, and became editor of the *Central Presbyterian*, in partnership with the eminent scholar and writer, Dr. James C. Southall. After the resignation of Dr. Southall, Dr. Richardson for a time conducted the *Central Presbyterian* as sole editor, but subsequently associated with him Dr. James P. Smith. Dr. Richardson, together with Dr. James C. Southall, assumed control of the *Central Presbyterian* in June, 1879, succeeding Dr. William Brown, who, in his valedictory, said of his successor:

"The Rev. William T. Richardson is well known in the Church, especially in the Synod of Virginia, as having been for thirty years a successful pastor and instructor of youth, as a man of clear, vigorous, practical intellect; of ripe scholarship; of excellent business capacity; as well versed in the affairs of the Church, and devoted to its interests."

In all these varied departments of service Dr. Richardson demonstrated his rare capacity for usefulness. He was dignified, courteous, and gentle in manner, a clear and forcible writer, an earnest and evangelical preacher, an invaluable member of Church courts, because of his prudence, conservatism, and familiarity with ecclesiastical law; steadfast and loyal in his friendships, doing justly, loving mercy, and walking humbly with God. In the social circle few men were more charming and entertaining. He was a man of wide reading and had travelled much, several times abroad. His manners were always agreeable. His conversation was usually instructive, always entertaining and edifying.

[NOTE.—We are indebted to Richmond *Dispatch* for these details.]

COLONEL EDWARD M. HEYL was born in Philadelphia, Pennsylvania, February 14, 1844, and entered the military service August 12, 1861, as a private of Company E, Third Pennsylvania Cavalry; was promoted quartermaster sergeant and first sergeant same company; second lieutenant April 4, 1862; first lieutenant April 1, 1863; captain December 4, 1863; and honorably mustered out August 24, 1864. His command was among the first volunteer cavalry regiments that joined the army of the Potomac, and he was engaged with it in the following-named battles: Williamsburg, Yorktown, White Oak Swamp, Malvern Hill, Antietam, Kelly's Ford, Fredericksburg, Gettysburg, Mine Run, Wilderness, Cold Harbor, and Siege of Petersburg. He was captured by the Confederates at Hartwood Church, Virginia, November 28, 1863, and kept a prisoner for thirty days.

He was appointed first lieutenant Ninth cavalry July 28, 1866; promoted captain July 31, 1867; transferred to the Fourth cavalry January 1, 1871; appointed major and inspector-general February 19, 1885; pro-

moted lieutenant-colonel and inspector-general December 22, 1885, and colonel and inspector-general February 12, 1889. During his service in the line, besides being engaged in numerous expeditions, he participated in the following actions against hostile Indians:

June 7, 1869, on the Pecos river, Texas, with the Lapans and Mesca-leros; mentioned in General Orders of September 11, 1869, Headquarters Fifth Military District, for gallantry in this action.

September 16, 1869, near the Brazos river, Texas, against Kiowas and Comanches, and again mentioned in General Orders of October 28, 1869, Headquarters Fifth Military District, for gallantry.

November 24, 1869, near Llano river, Texas, against Comanches. In describing this engagement in General Orders, dated December 13, 1869, Major-General Reynolds states that "this is the third occasion within the year that the gallantry of Captain Heyl has been brought to the attention of the commanding general. In this action Captain Heyl engaged in personal combat with an Indian whom he killed, and was himself severely wounded with an arrow in the left side." He took part in the expedition against the hostile Apaches and Lapans on the Pecos river, Texas, from May to October, 1870, and in the scouting expedition against hostile Comanches and Kiowas, from September, 1871, to December, 1871.

October 11, 1871, he was again engaged with hostile Comanches near the Brazos river, Texas, where the enemy was completely routed, his entire camp and winter supplies being destroyed.

From June, 1872, to June, 1873, he commanded the escort composed of cavalry and infantry to the Texas and Pacific railroad expedition, in which he saw much hard service, being engaged in a number of skirmishes with hostile Kiowas and Comanches.

September 26 and 27, 1874, he was engaged with hostile Cheyennes in the Tule Cañon, Texas, and on September 28, 1874, in the battle against Cheyennes and Kiowas in the Palo Duro Cañon, Texas, in which the Indians were completely routed.

November 3, 1874, in action against hostile Comanches on the Laguna Curato, Texas.

He was engaged in the Ute campaign of 1881, and in the expedition against the hostile Apaches in the fall of the same year.

He served from August 6, 1884, to February 19, 1885, as Acting Assistant Inspector General, Department of the East, when he was appointed Major and Inspector General.

Served as Inspector General of the Department of Texas, March 30, 1885, to November 3, 1888; of the Division of the Missouri, from November 12, 1888, to June 2, 1891, and of the Department of the Missouri until the date of his death, January 2, 1895.

No better eulogy of Colonel Heyl than the foregoing record of gallant and faithful service can be written. For this and his many other fine traits of character he will be long remembered with honor. He was buried at Arlington, Virginia, with military honors.

COLONEL JOHN EDMUND PENN was born in the county of Patrick, July 3, 1837. His father was Gabriel Penn, a grandson of Col. Abram Penn, who was a colonel in the Revolutionary war, and a nephew of John Penn, one of the signers of the Declaration of Independence.

Col. Penn belonged to a family well known in his division of the State for culture, refinement, hospitality and wealth. He enjoyed the best educational advantages. At the age of fifteen he went to a noted school of its day at Germantown, N. C.; afterwards to Randolph-Macon College, where he graduated with distinction. Returning home he studied law under his kinsman, Judge Waller R. Staples; afterwards going to the University of Virginia, where he finished his course of study. At the breaking out of the war between the States he promptly organized a company from his native county, Patrick, entering the Confederate army with the rank of captain. His gallant services as a soldier were very soon rewarded by promotion to the colonelcy of the Forty-second Virginia Regiment. At the battle of Sharpsburg, while acting in the capacity of Brigadier-General, he was shot down, captured and taken to Baltimore, where his leg was twice amputated. Returning to his home in the county of Patrick he began the practice of law and was soon elected commonwealth's attorney, which office he filled to the entire satisfaction of his constituents. When the State was admitted into the Union, he was elected Senator from the counties of Patrick, Floyd and Montgomery, and while in the Senate took an active part in the promotion of the Virginia Agricultural and Mechanical College, and secured its location at Blacksburg. He afterwards again represented the counties of Patrick, Floyd and Carroll in the Senate, serving with distinction from 1869 to 1876, inclusive, being one of the leaders of his party in that body.

In November, 1866, Col. Penn married Alice Grant Hoge, daughter of Hon. Daniel H. Hoge, of Montgomery, member of Congress, and a lawyer and speaker of ability. After his marriage he continued to live in his native county, where he was for many years at the head of the bar, honored and esteemed for his many private as well as public virtues.

In 1882 Col. Penn moved to Salem, Roanoke county, where he soon acquired a lucrative practice. In 1883 he formed a co-partnership with Lucian H. Cocke, and in 1885 purchased a handsome home in Roanoke city, where he continued to live to the time of his death. In Roanoke his high attainments as a lawyer, his skill as an advocate, his eloquence and ability as a speaker, and his industry and zeal for his clients, soon made

him the leader of the Roanoke bar, and gave to him a reputation as a lawyer of learning and ability not confined to the limits of his State.

The announcement of his death, on the 27th day of September, 1895, was received with marked expression of sorrow, and the memorial proceedings of the courts in which he practiced, the bar to which he belonged, the church of which he was a member, and the meetings of the citizens generally, testified not only to the high regard in which he was held, but of the deep affection which his high traits of character had produced in all who knew him, and their sincere appreciation of the great loss that all had suffered in his death.

HISTORICAL NOTES AND QUERIES.

THE BURNING OF EVE IN VIRGINIA.*

Few have been the cases in which criminals have been burnt at the stake by judicial process in the region now embraced by the United States during the Colonial period. At present we can recall only three cases of this extraordinary punishment.

In Cambridge, Mass., a negro woman was burnt at the stake in 1749 for murdering her master; and in 1746 a negro woman named Eve was burnt, by order of court, in Orange county, Va., for poisoning her master; and it is proposed to give some account of her trial.

Preliminary thereto, it may be proper to say that when Orange county was cut off from Spotsylvania county, Va., in 1734, it embraced not only what is now Culpeper, Rappahannock, Greene and Madison counties, in Eastern Virginia, but most of the Valley of Virginia, and the country west of this to the Ohio—a veritable principality—under the municipal control of the County Court of Orange and its officers—civil and military. The first court was held in March, 1734, by the order of the Governor, at the house of Henry Willis, on Black Walnut Run, in the lower part of what is now Orange county, and commissions for the justices of peace, sheriff and other officers had also been sent, and those appointed were duly sworn. In 1737 about twenty acres of land was leased from Mr. Branham, near what is now Somerville's Ford of the Rapidan, and on an elevated plateau south of that famous stream, overlooking for a long distance the level lands of what is now Culpeper county, lying northward, and there the old court-house and jail were built in 1738, and pillory and whipping-post and stocks were put up.

The county court was composed of a number of the most prominent and reputable gentlemen of the county, who held commissions from the Governor as justices of the peace, and several of these could act as the county court, having jurisdiction over all cases except treason and felonies, and could punish criminals at the pillory, whipping-post, and stock, and by fine and imprisonment, &c. White persons accused of treason and felonies were sent for trial to the General Court, held at Williamsburg. Slaves accused of treason or felony were tried by special courts of Oyer and Terminer, organized for each case. The examining

*According to Rapin, one Richard Rouse, a cook, on the 16th of February, 1531, poisoned some soup in the Bishop of Rochester's kitchen, and over seventeen persons were poisoned—some fatally. Parliament thereupon passed an act (twenty-second year of Henry VIII.) declaring poisoning treason, and Rouse was attainted, and sentenced to be boiled to death, and the sentence was executed in Smithfield. This punishment was adjudged to be inflicted on all poisoners hereafter.—*Rapin*, Vol. 7, page 417.

court would certify to the Governor that such party or parties, being slaves, were accused of certain treason or felony, and the Governor would then send up commissions for a number of gentlemen to be sworn in as justices of the Court of Oyer and Terminer, any four or more of whom might sit as such a court, and try slaves for felony or treason. This court had the power to grant to criminals condemned for treason or felony the benefit of clergy, if it had not been granted them before. This device greatly mitigated the severity of the English colonial laws, for it changed a felony to a misdemeanor, and the lenient magistrates of Orange generally granted this privilege where the crime was not an outrageous one, and criminals generally got off with whipping, branding in the hand with a hot iron, or other punishment applicable to misdemeanors.

A slave of John Baylor, in Orange, was once condemned to death for breaking in the house of Erasmus Taylor and stealing eighteen pence. He could not by law be allowed the benefit of clergy, because on a previous trial for another offence this had been granted to him, and the privilege could only be once enjoyed.

In June, 1737, a court of Oyer and Terminer was held at old Orange Courthouse, and Peter, a slave of John Riddle, was tried for the murder of his master. Peter plead guilty, was condemned to be hung, and to have his head cut off and placed upon a pole near the courthouse "in order to deter others from committing such a crime." It is probable that the honorable justices soon tired of this ghastly spectacle, and had the head moved a few miles to Negrohead Run, at a place near the locality of the crime, for the Run long bore this name.

Peter's fate, however, did not have the effect the court desired, for in 1745, when, for aught we know, Peter's head may have still been hanging on its pole, Eve, a slave of Peter Montague, poisoned her master, and the examining court believing her to be guilty, an express was sent to the Governor at Williamsburg for a commission of Oyer and Terminer, directed to various gentlemen, in order to hold a court for her trial. The commission soon came with a "dedimus potestatem" writ, directed to Colonel George Taylor and Richard Winslow, authorizing them to administer the oaths of office to other justices, though the gentlemen were already justices of the county court. Taylor and Winslow administered the numerous oaths required by act of Parliament to William Russell, one of the commission, and he then administered the oath of office to George Taylor, Richard Winslow, Edward Spencer, and Philip Clayton, and they were duly sworn as justices of the court of Oyer and Terminer for the trial of Eve; and proclamation was made by the sheriff that the court was duly constituted on that day, the twenty-third of January, 1746. Thereupon stepped forward Zachary Lewis, attorney for the King, and informed the court that Eve, a negro slave woman lately belonging to Peter Montague, late of Orange county, Virginia, had, on

August 19th, 1745, poisoned Mr. Montague, and that he had languished to December 27th of the same year. Whereupon Eve was led to the bar under the custody of Colonel Thomas Chew, Gent., sheriff of Orange, and put on her trial for his murder. She pleaded not guilty and put herself upon the court, upon which witnesses were produced, sworn and examined against her, and she was fully heard in her own defence. The court decided that she was guilty of the murder, and it was determined that she should be drawn upon a hurdle to the place of execution, and be there burnt. The sheriff was ordered to carry out the execution on the following Wednesday. The court adjudged Eve to be worth fifty pounds, and directed this to be certified to the next General Assembly. The court was dissolved and the proceedings signed by William Russell, the presiding justice, January 23, 1746.

The sentence was probably executed on the high hills of Orange county, adjacent to the old courthouse, and the smoke of the burning of Eve was visible over a large extent of country.

It appears that it was not the custom in the courts of Orange in Colonial times to allow or appoint counsel to defend accused persons; these unfortunates had to defend themselves. The first notice of counsel for criminals is after July, 1776, when the officers and magistrates of the county took oaths of allegiance to the State of Virginia.

On May 26th, 1748, Letty, a negro slave belonging to Mrs. Harriet Potter, of Middlesex county, Virginia, for some unknown reason, probably for change of venue, was tried by an Orange court of Oyer and Terminer for mingling poison, water, bread and meat, and giving it to one Richard Sims, who ate and drank thereof, and did languish from the first of August, 1746, until the fourth day of January, 1747, when he died in Middlesex county; and did also give poison to a negro man, Simon, a negro slave of John Grymes, of said county, who languished from September 30, 1746, to May, 1747, when he died. The court decided that Letty was not guilty and ordered her release; probably leading to her acquittal was the feeling that the horrible scene so recently enacted at the burning of Eve should not be repeated in Orange county. In Campbell's History of Virginia it is stated that in 1610-'11, a man was burned at Jamestown for killing and eating his wife.

DR. A. G. GRINNAN.

THE LEOPOLDUS.

The Leopoldus, a Dutch vessel engaged in the traffic between Virginia and Holland, was seized in 1653, and adjudged "forfeitt and accordingly confiscated according to the act of Parliament for increase of Navigation." The capture of this vessel has been brought forward to prove that Virginia did not enjoy free trade with Holland in the interval of the Protectorate, but at this time, 1653, England and Holland were

at war, and it is probable that the Leopoldus was seized because she could not show a special license. The Leopoldus was doubtless one of the two Spanish Fleming ships which are known to have arrived in Virginia in 1653. (See Randolph MSS., *Virginia Historical Society MSS. Collections*, Vol. III, p. 248.) The vessel was sold to Colonel Walter Chiles for £400. (See, for bill of sale, *Hening*, Vol. I, 382.) The following is the account of the capture from Records of Lower Norfolk County, Vol. 1651-1656, folio p. 52. It was kindly communicated to us by Mr. Edward W. James :

Att a Co'r't held the 15th day of August Anno Dm: 1653:

Lower Norff. Present—Coll: ffrancis Yardley, Lief't: Coll: Cornelius Loyd, Lei't: Coll: John Sidney, Mr: Lemuell Mason, Mr. William Mosley, Mr. Thomas Bridge, Mr. Thomas Goodrick, Com'rs.

Ordered to be recorded this 15th of August, 1653:

Richard Sternell aged thirty Eight years or there abouts Sworne & Exaied saith y't about ye Sixt of June last past he this depon't beinge on board ye Shipp called the Leopoldus, Shee ye s'd Shipp lyenge at anchor in Elizabeth River in ye County of Lower Norff in Virginia Did see Mr. Gunnell & Mr. Reade masters of London Shippes, their Shippes lyenge att anchor in James River in ye part called Newport Newes, w'ch said two masters came on board ye s'd Leopoldus w'th a wherry & fower or five men w'th them w'ch he this depon't Supposed to be their owne Seamen. An he this depon't did heare Mr. Read and Mr. Gunnell demand from whence or from what p'te ye s'd Shipp came, and some of ye officers of ye s'd Leopoldus said that they came from Dunkurke, then said ye two London Masters Shewe us yo'r Commission, and ye s'd officers of ye s'd Leopoldus Said that their Captaine & their Capesman had carried their Commission w'th them to the Governor. Whereuppon the said Gunnell & Read said that they ought to have brought their Commission to them, for Said Gunnell & Read, let yo'r Commission be what it will, or from whence, wee regard it not, Except it be under ye States of England hands & Seales, they would not regard it; and further this depon't did heare ye s'd Gunnell & Read say that they had power to command Leif't Coll'o Cornelius Loyd to assist them, he ye s'd Mr. LLoyd beinge then on board, & havinge ye s'd Shipp deliv' red upp into his custody for ye use of the Country, if they did not prove themselves free to trade in Virginia, and ye s'd Gunnell & Read said that they had power to command ye Gen'rall of o'r Country to ayd & assist them in takinge ye said Leopoldus for a prize, & ye s'd Gunnell & Read demanded to see ye hold of ye s'd Shipp, whereuppon the s'd officers of ye s'd Leopoldus gave them leave, & they did Search the s'd hould, & returned into the Shippes Cabbine againe & reasoned the cause a little & then went forth, & uppon their goeing away they said that they would leave one man on board w'th

them to secure them from any others takinge them & ye s'd officers of the s'd Shipp Said y't if they left a man on board uppon force, that they would throwe him the s'd man over board & did offer to throwe him over, but had mercy of the s'd man, & tooke him and carried him on Shoare ymedyately, Gunnell & Read beinge then in Sight and See what was done.

RICHARD STARNELL.

Jurat'r in Curia 15'o die Augusti A'o Dm 1653:

p me WILLM JEYMY, Clercum.

Ordered to be Recorded ye day & yeare above Said.

Robert Wooddy, aged about Two & thirty yeeres Sworne & Exaied Saith That about ye Sixt day of June last past he beinge on board ye Shipp called the Leopoldus, where & when mr. Read & mr. Gunnell came aboard w'th five men in a wherry, & beinge there he heard them Say that they would Command both Governor & Councell to ayde and assist them to take thafore S'd Shipp, & thereuppon Entred into the hould w'thout Shewing any Commission for ye Same beinge demanded by the Seamen of ye S'd Shipp, & Searched the goods there, but never Spake a word to ye Seamen of makinge ye Shipp Prize. But afterwards the Said Gunnell & Read desiringe to leave a man on board, The Steeresman of ye S'd Shipp answered for What, they Said to See noe goods be carried on Shoare. The Steeresman Said you Shall leave noe man heere, but desired them, goeing away, to take their man w'th them or he would heave him over board. Notw'thstandinge he did not, but after they ye Said Read & Gunnell were gone, ye Seamen of ye S'd Shipp carried ye S'd man quietly on Shoare. And further the Skipper Said to Coll: Clayborne & others Who then came aboard, if they were Prize they would be Prize to the Country, And if they pleased to send fifty men on board they Should be Welcome. And further Saith not.

ROBTE WOODY.

Jurat'r in Curia 15'o die Augusti A'o: Dm: 1653:

p me WILLM JEYMY, Clionm.

MATHEWS COUNTY, ORIGIN OF ITS NAME.

Howe, on page 376 of his Historical Collections, states that Mathews county, Va., was named after Governor Mathews, of Georgia. Mr. Hugh Blair Grigsby, in his "Virginia Convention of 1788," states that this is a mistake, because "I, who am a townsman of Mathews, have always heard to the contrary; and I find in the chart of the Commonwealth of Virginia, compiled in the year 1790, by Wm. Marshall, that it was called after 'Mr. Speaker Mathews.'"

Now, we have before us papers settling positively this difference, namely, a copy of the Resolutions from the County Court of Mathews county, dated February 11, 1793, wherein they "appoint a committee to write to the Hon. Thomas Mathews, and, in the name of the county, assure him of the High sense they entertain of his worth and usefulness, as *Speaker of the House of Delegates of Virginia*, as such wished to perpetuate his name in the nomination of their county"; and also a Resolution adopting "as their county seal," a seal presented by the Hon. Thomas Mathews, Esq., "in grateful return of the High esteem and respect which was shown him in the erection and establishment of this county."

The originals of the foregoing papers are now in the hands of General Mathews' descendants.

"At a Court held for the County of Mathews the 11th day of February, one Thousand seven Hundred and ninety-three: This day was Presented to the Court, as a donation from the Honorable Thomas Mathews esquire, a seal for the use of the County, in grateful return of the High esteem and respect, which was shown him on the erection and establishment of this county.

"Ordered, that the said seal, which is emblematic and descriptive of the valuation, dependance and prospects of the mechanic inhabitants of the County of Mathews, who have been in the habit of Shipbuilding, be thankfully received by the Court; is recognized under the description aforesaid as their County seal; and as such is delivered to the Clerk both for safe custody as well as for the occasional use of the County:

"Ordered that Thomas Smith and Thomas Smith Junior, Gentlemen, be and are Hereby appointed by this Court, who are authorized and requested to write to the Honorable Thomas Mathews and in the name of the County, to assure him of the High sense they entertain of his worth and usefulness, as *Speaker of the House of Delegates of Virginia*; as such wished to perpetuate his name in the nomination of their county; and will retain in grateful remembrance this distinguished token of his friendship and respect.

A Copy—Teste:

JOHN CARV, *cme.*

MATHEWS, Feb. 15th, 1793.

"Hon'ble Sir:

In obedience to the Orders of Mathews Court, we with pleasure inclose to you an attested Copy of them for your Perusal. You will readily perceive, Sir, the leading principals which actuated them in making these communications, the high Sense they entertain of your distinguished worth as the *Speaker of the House of Delegates* & that as such your memory was meant to be perpetuated in the name which was given to our new erected County. And whilst they are impressed with the hon'ble Testimony, which you have given them of your esteem

and gratitude in presenting them with a public Seal give us leave at the same time, as it is both what is dictated from Inclination as well as public Duty, in the Name of our county to return you their & our sincere Thanks and to assure you of their and our truly reciprocal Friendship and Regard.

We are hon'ble Sir with the highest Esteem & Respect, your much obliged and humble Servants,

THOS. SMITH,
THOMAS SMITH, Jun'r."

LORD DUNMORE.

(Communicated by Mr. J. H. Whitty.)

In Jones and Girardin's continuation of Burk's History of Virginia, Vol. 4, Chap. VI, page 117, it is stated that an attempt was made by Dunmore "either real or pretended towards a reconciliation between Virginia and the parent State." The occasion was a letter addressed January 22, 1776, from the ship *Dunmore* in Elizabeth river to Honorable Richard Corbin, Receiver General of the King's Quit Rents, who was also President of the Council, quoting a portion of his Majesty's speech to Parliament October 28, 1775. In this letter, the History states that after "Complacently expatiating on the rectitude of his own intentions, and the benevolence of his own heart, and vaguely, but acrimoniously reflecting on the views, the motives and conduct of the leading Patriots, he called in that gentleman in the name of God, his King and Country, to 'enforce by every exertion of his best advice and assistance the sincere endeavors which the generous, the humane, the truly noble sentiments expressed in the part of his Majesty's speech just quoted, prompted him to make, to affect, by any means that should be thought most advisable, an honorable, permanent, speedy and happy reconciliation between the Colony and the mother Country.'"

A letter which has just been brought to light indicates that Dunmore had thoughts of and hopes of a reconciliation almost from the beginning of the revolution. This letter is written on very thick, yellow paper with gilt edge, folded in a half sheet of same paper, directed to Richard Corbin, Receiver General of the King's Quit Rents, and sealed with red wax. This is re-enclosed in a similar half sheet, and directed to Mr. Wm. Prentis at Williamsburg with the following: "Mr. Prentis will please deliver this letter as per directions." Signed Dunmore and sealed with the Dunmore crest. The letter reads as follows:

Off Norfolk on bd. the William
September 5, 1775.

Dear Sir:

A few days ago, I received y'rs of the 10th ult. informing me that notwithstanding your private business required y'r presence at home

yet you did not choose to go, fearing it might not be agreeable to y'r Countrymen in their present mode of thinking, but that you had requested y'r friends to mention y'r situation to the Convention at Rd. and that you find it is agreeable to them that you sh'd go. I am sure if that is the case and you are still of opinion that y'r private business requires y'r presence I know of nothing that need detain you a single moment here; on the contrary, I think if there is but a chance that y'r going can be of the smallest service to this y'r native land nothing ought to prevent you, and if my concurrence is necessary, you have it with all my heart and from my soul, wishing that you can be the means of reconciling these very unfortunate differences between 2 countries whose mutual advantage it is to be firmly united, and wishing most sincerely that on y'r return you may find this at present very unhappy and wretchedly divided country in the full exercise of its late happy constitution and Government, which I know is y'r sincere wish, and must be of every real wellwisher to his country, but can be of none more than of y'r most ob't and Very Humble Servant,

DUNMORE.

WILL OF COLONEL THEODORICK BLAND.

[Communicated by Col. F. P. Leavenworth.]

In the name of the one Eternal and ever living God, I, Theodorick Bland of the County of Prince George, in the State of Virginia, being of sound mind and memory, do constitute, ordain and appoint this to be my last will and testament, and I do hereby revoke, annull all other wills by me heretofore made :

I give and bequeath to Robert Bolling of Petersburg, Benjamin Harrison of Brandon, Peter Epes, Inman Baker, St. George Tucker, Thos. Griffin Peachy, and Dr. Isaac Hall, In Trust, two acres of ground fronting the church on the top of Blandford Hill, together with a street of one hundred feet wide to the East, and one sixty feet wide to the South of the aforesaid lot, on which two-acre-lot it is my desire the Publick may erect a College for the Education of Youth within 15 years after my decease, otherwise it is my desire that the said land shall revert to my nephew, Robert Banister, to him and his heirs forever. I give and bequeath to my wife Martha Bland, to her and her heirs forever, all rest and residue of my estate both real and personal, together with my rights, Titles to lands in the Western waters which I obtained as Bounty for my services as an officer in the American Revolution. I give and bequeath to my nephew, Theodorick Bland Randolph, my silver hilted sword, which I used in the cause of American freedom. I give to my nephew Robert Banister my carbine. I give to my nephew John Randolph my Hessian rifle. I constitute and appoint my wife, Martha Bland, my whole and sole executrix of this, my last will and Testament.

In witness whereof I have hereunto set my hand and affixed my seal
the 5th day of Nov'r, 1789.

TH'D'K BLAND [sealed with wax.]

Teste : EDWARD GLOVER,
ASA GIFFORD,
HARRISON FITZHUGH.

VIRGINIA PORTRAITS BY ST. MEMIN IN CORCORAN ART GALLERY.

The following is a nearly complete list of the engraved portraits of Virginians, by St. Memin, now in the Corcoran Gallery, Washington. In many instances the dates are given: Colonel Giles (1799), President Jefferson, Thos. Wickham (1808), Matthew Clay (1800), John Seaton (1798), T. Beale (1796), General Giles (1797), John Gay (1802), Colonel Boyd (1802), Mrs. Wm. Seaton (1797), Th. Bland (1804), Dr. Alexander (1804), — Alexander (1803), — Carter (1804), T. L. Brent (1805), B. Washington (1806), Wm. Brent (1806), Meriwether Lewis (1805), T. T. Tucker (1805) [he was a resident of South Carolina, though a brother of St. George Tucker of Virginia], — Poindexter (1808), J. W. Eppes (1805), T. Mason (1800), — Holmes (1799), L. Powell (1800), Wm. C. C. Claiborne (1798), David Randolph (1807), Thos. Claiborne (1805), Joseph Lewis (1805), James Stephenson (1805), Wm. Burwell (1806), G. M. Bedinger (1806), Joseph Bryan (1805), Th. Griffin (1805), Philip R. Thompson (1806), Thos. Newton (1806), John Tayloe (1806), — Beverley (1807), Alexander Smyth (1805), Thos. Moore (1805), Carter Burwell (1805), — Fitzhugh (1807), B. Coke (1805), Carter Muse (1805), Jos. Thos. [?] Lomax (1808), L. Carter (1805), S. Taylor (1805), Joseph Scott (1808), Lieutenant Gaines [E. P.?] (1808), — Carter (1808), Wm. Gray (1809), — Tazewell (1808), J. Minor (1808), — Triplett (1808), — Muse (1808), — Pleasants (1808), Wm. Cabell (1808), James Currie (1808), — Tucker (1808), Landon Carter (1808), — Mercer (1808), — Cabell (1807), J. Brown (1807), — Jefferson (1808), — Wirt (1808), — Marshall [a young man] (1808), — Rootes (1808), — Clarke (1808), Judge Marshall (1808), — Madison (1807), — Nelson, Mrs. Elizabeth Selden Wickham, wife of John Wickham; Matthew Clay, M. C.; Major Chas. H. Smith, of Norfolk; John A. Chevalier, Mrs. Bell (*nee* Walker, of Petersburg), L. H. Girardin, Dr. Ashton Alexander, Richard Brent, U. S. Senator; Thos. L. L. Brent, Bushrod Washington, General Henry Lee, John Tayloe of Mt. Airy, Col. Wm. Brent (1806), G. W. P. Custis, Isaac A. Coles, Meriwether Lewis, George Poindexter, Thomas Jefferson, John W. Eppes, President Wm. H. Harrison, Robert G. Harper, David Holmes, W. C. C. Claiborne, D. M. Randolph, Col. Levin Powell, Thomas Claiborne, M. C.; Jos. Lewis, M. C.; James Stephenson, M. C.; Wm. A. Burwell, M. C.; Wm. Clarke [the companion of Lewis]; Robt. Beverley, Essex

(1806); John C. Herbert, of Alexandria; Thos. Woodhouse, Dr. Elisha C. Dick, Alexandria; Wm. Bartleman, Alexandria; P. Thompson, Alexandria; Wm. H. Fitzhugh, Ravensworth; George Young, Alexandria; Dr. Thomas Semmes, Alexandria; B. Cocke, Alexandria; Carter Burwell (1805); A. Lynn, Alexandria; Skelton Jones; J. C. Anthony, Richmond; Thos. O. Anderson, U. S. N.; John G. Morley; John Graham, Minister to Brazil; Joseph Scott, U. S. Marshal; E. P. Gaines; John Bell, Richmond; Allan Pollock, Richmond; Hyman Marks, Richmond; Judge John T. Lomax, Williams Carter, Patrick Gibson, Richmond; John C. Hubner, Richmond; L. Carter (1805), Alexander Gibson, Richmond; Wm. Gray, Richmond; Governor L. W. Tazewell; Daniel Triplett, Fredericksburg; Landon Carter (1808), Hugh Mercer, Jr., Gov. W. H. Cabell, Lawrence Muse, Thos. Taylor, Richmond; J. Brown (of Brown & Rives, Richmond); Peter Jefferson, brother [nephew?] of the President; Wm. Wirt, Archibald Blair, Richmond; Henry L. Briscoe [Biscoe?], Manchester; Nicholas Cabell, Jr., E. W. Rootes, Richmond; James Currie, Richmond (son of Dr. James C.); Judge St. George Tucker, Judge Wm. Nelson, Judge John Marshall, Thomas Marshall (eldest son of Judge M.), P. Murry, Richmond; James W. Bates, M. C. from Arkansas (but native of Virginia); Col. John Mayo [builder of the bridge], William Madison, Peter Johnston, Hugh Nelson, Jacob Kinney, Peter Carr, John Wickham, Dr. George Watson, James Breckenridge, M. C.; Col. Henry Heth, Benjamin Harrison (brother of President Wm. H. H.), Robert Johnston, Thos. B. Robertson, Col. Reuben Lindsay, Overton Anderson, Richmond; — Burnett, Norfolk (1808); Benjamin Moseley, Powhatan; James Bankhead, Richard Brooke, son of Gov. Brooke.

St. Memin drew many more portraits of Virginians than are indicated by this list of engraved copies. There are a number of his pictures in Richmond not included in this list, as there are, doubtless, in other portions of the State.

STIFF FAMILY OF VIRGINIA.

In 1878, whilst working at the history of the Stiff family in England, I made some inquiries respecting those of the name in America, and as most of them appear to be connected with the State of Virginia, it will be appropriate to place the results, meagre though they are, on record in the pages of the *Virginia Historical Magazine*.

For most of the information thus obtained I am indebted to my old friend, the late Mr. G. D. Scull, and through him to Mr. W. F. Potts, of New Jersey; Mr. D. W. Strother, Mr. R. A. Brock, and Mr. Hudgin, Mr. Quarles, and Mr. Doll, the clerks of Caroline, Bedford and Berkeley counties. My attention was first directed to the Virginia Stiffs by a somewhat scarce volume, published at Cincinnati in 1840, entitled "The

Texan Emigrant," by Colonel Edward Stiff. This writer was born near the Peaks of Otter in Bedford county, Virginia, as he incidentally mentions in his book, while in another passage he narrates his meeting at Richmond, Texas, with a namesake, "the first and last he had ever seen bearing the name whose genealogy could not be traced to a more tangible source than Caroline county, Virginia."

Very little has been learnt about him, and for what we know we are chiefly indebted to Mr. Clarke, of Robert Clarke & Company, the Cincinnati publishers, who, in 1877, gave the following account of him, related to him by a contemporary who personally knew Colonel Edward Stiff. His informant, a Mr. Ogden, states, "he first knew him at Lexington, Ky., about 1836, just after the duel of General Thomas L. Chambers with General Wilson, in which he was mixed up as a friend of the former. He was then working as a printer in the office of the *Observer and Reporter*. He married there, but cannot remember whom. He came to Cincinnati about 1843, and worked at the *Inquirer* office till near the time of the Mexican war, when he went to Tennessee or Mississippi, and from there went in the war as a captain of a company. After the war he was here for a short while and then went South, and we heard nothing of him till five or six years ago, when we learnt of his death at New Orleans, a poor, broken down man."

Another account states that he met with a violent death in Alabama. He was married and had a family. Relatives of Colonel Stiff were residing at Thaxton's Switch, Bedford county, in 1875, and the name is said to be a frequent one in that district. Somewhere about 1850 there died in Caroline county a James Stiff, a bachelor, who conveyed a small tract of land to a Mr. Chapman, but unfortunately most of the records of that county were burnt or destroyed in the troubles of 1864 and 1865.

There seems also to have been a family of Stiffs long settled in Middlesex county, Virginia, and there is record of a grant of 341 acres of land in Christ Church Parish in that county in the year 1720 to one Jacob Stiff. Besides the Stiffs of Bedford county, Middlesex county, and Caroline county, there is a family of Stiffs at Staunton, Virginia. They descend from a Dr. William W. Stiff, who died in 1867, aged 52, son of Thomas M. Stiff, said somewhat vaguely to have come from England. This probably is doubtful; the tradition more likely refers to a remoter ancestor.

There appear also to have been some Stiffs in New Jersey, some of whom were engaged in the Civil War of 1862-'4. There were in England Stiffs in Berkshire, Hampshire, Northamptonshire and Suffolk in the sixteenth century, and in Gloucestershire as early as 1419. As there was a very intimate connection between Gloucestershire and Virginia, it seems more likely that the Virginia Stiffs came from this county probably at a comparatively early date. The occurrence of the name *Jacob Stiff*, an unusual combination, in Middlesex county in 1720 is noteworthy.

since at that date there was another Jacob Stiff living, being at Dursley in Gloucestershire. It is a coincidence that Dursley is only three or four miles distant from Berkeley.

The fact that this surname is both rare and distinctive has much facilitated inquiry into its genealogy, and as a result I have a large collection relative to the Stiffs, which I should be glad to increase by notes respecting the Virginia families of that name. Perhaps some of the members of the Virginia Historical Society may be able to help.

W. P. W. PHILLIMORE.

124 Chancery Lane, London.

HILL AND CUSTIS.

NASSAWADOX, VA., *December 2, 1895.*

Editor of Virginia Magazine of History, &c.:

SIR,—In notes on Charles City County Grievances, *Virginia Magazine of History and Biography*, October number, 1895, p. 157, it is stated that the wife of Col. Edward Hill was said to have been a Miss Williams. If so, she was probably not his last wife, for in Northampton County Records, Vol. 12, p. 99, Edward Hill, of Charles City county, made a pre-marriage contract with Tabitha, the widow of Major-General John Custis, of "Arlington," in 1696, the same year in which Major-General Custis died, as is shown by his tombstone at Arlington in this county. The above Tabitha was the eldest daughter of Col. Edmund Scarburgh, who received the soubriquet of the "Conjuror," and who was at one time Surveyor-General of Virginia and Colonel and "Commander-in-Chief of all the inhabitants of the Eastern Shore." Tabitha first married Col. Wm. Smart, who came to Northampton county from Lancaster county, Va. She bore him only one child, whose name has been found, viz: Tabitha Scarburgh Smart, who married Richard Hill, of "Hill's Farm," near Accomac C. H. This Richard Hill was brought to Northampton county by Col. Edmund Scarburgh, and employed by him as one of his business managers, for a time. Tabitha (Scarburgh) Smart married, secondly, Devereux Browne, but she seems to have borne him no children. She married, third, Major-General John Custis, being his third wife, but she had no Custis children who are mentioned. He dying in 1696, she married Edward Hill, of Charles City county, Va., and they set aside land and property for her great grand-children, Thomas and Tabitha Scarburgh Custis, children of Edmund Custis, of "Deep Creek," Accomac county, and her granddaughter, Tabitha Scarburgh Hill, his wife. Thus there are on the Accomac County Records at the same time the names of two women, mother and daughter,

both of whom were called Madam Hill, or Madam Tabitha Scarborough Hill, at the option of the clerk or attorney writing the deeds or other papers for record, and as the clerks or others were not always particular to specify grandmother or great-grandmother, but usually wrote simply Grandmother Tabitha Scarborough Hill, it is difficult sometimes to tell which Madam Hill was referred to.

While mentioning these old ladies, who were ancestresses to so many persons bearing the Custis name, it may be interesting to some yet living, or even to many persons not bearing the Custis name, to know that Major-General John Custis, his brothers, William and Joseph, who settled on the Eastern Shore of Virginia; Thomas Custis, of Baltimore, Ireland; Edmund, of London; Robert, of Rotterdam, and Ann, who married Col. Argall Yardley, of Northampton county, Va., were all children of John and Joane Custis, of Rotterdam, the inkeeper there, as shown in Col. Norwood's voyage to Accomac. The name of the mother of Col. John Custis (who lived, died and was buried at "Wilsonia," in Northampton county, Va.), is unknown. This John was several years old before his father married Alicia —, who had been the wife, first, of George Travellor, and bore him two children, George and Elizabeth; second, she had married Captain William Burdett, who was a widower with one son, Thomas Burdett, when she married him; thirdly, she married Captain Peter Walker, but no children are mentioned by that marriage; and fourthly, she married Major-General John Custis, of "Arlington," and died leaving no Custis children whose names appear between 1670 and 1580. The General then married Tabitha Scarborough, the widow as before stated of Smart and Browne.

Colonel John Custis, of "Wilsonia," who married, first Margaret Michael, was the father of the Hon. John Custis, of "Arlington," who married Francis Parke, daughter of Colonel Daniel Parke, Governor and Captain-General of the Leeward Islands, and who were the parents of Daniel Parke Custis, the first husband of Martha Washington, nee Dandridge. See tomb of Major-General John Custis at "Arlington," whose epitaph has recently been published in the *William and Mary Quarterly Magazine*. Margaret Michael, the mother of the Hon. John Custis, of "Arlington," was the youngest daughter of John Michael, Sr., and his wife, Elizabeth Thorowgood, who was daughter of Captain Adam Thorowgood and Sarah Offley, his wife, and was sister to Lieutenant-Colonel Adam Thorowgood, for several terms a Burgess from lower Norfolk, who married Frances Yardley, youngest daughter of Colonel Argall and Ann (Custis) Yardley, of Northampton county, Va. I have given this little Custis sketch without giving many references, but I have proofs for all, and have not entered into the other Custis branches for want of space. The first wife of Major-General John Custis I believe to have been a Miss Hancock, but so far I have not found absolute proof of it, nor is any wife of his mentioned prior to Alicia on

these records, but he certainly did not marry her before 1656, and on the tomb of his son, John, of "Wilsonia," who died in 1713, it states that he was in his sixtieth year of age, hence he was born before the marriage to Alicia.

THOMAS T. UPSHUR.

THOROUGHGOOD AND CHANDLER FAMILIES.

BALTIMORE, MD., *December 10, 1895.*

Editor of Virginia Magazine of History, &c.:

SIR,—An interesting communication in the July No., by Mr. Thomas T. Upshur, calls attention to some obscure points in regard to the genealogy of the Thoroughgood and Chandler families. The subject is indeed somewhat complicated, but, with the aid of the Maryland records, I think it may be possible to clear up most of these obscurities, and perhaps, also, to "crack the genealogical nut" mentioned in Vol I, p. 200, of this magazine.

As Mr. Upshur correctly states, no *Jacob* Chandler is known to our early records. Job Chandler, quite a prominent man in his day, is evidently the person intended; and, curiously enough, the accounts heretofore published are in error not only as to *his* name, but also as to that of his wife, as the records clearly show. Job Chandler was a friend of Governor Stone, and brother of Richard Chandler, a London merchant, and on their recommendation was commissioned, 1st August, 1651, Receiver-General of Maryland and member of the Council (*Maryland Archives*, iii, 263). He had probably resided in Virginia, married there, and came to Maryland with his family after the appointment of his friend Stone to the governorship, 11th October, 1652. Mr. Job Chandler demands 1,200 acres—400 by assignment from the Governor, and 800 for the transportation of himself, Ann, his wife, Ann, his daughter, and Daniel Gorden, Garrett Barry, Alexander Simpcocks, Archebald Wahopp, and Rose Spring, his servants, "in 1651 and before" (Land Office, Lib. A B H, fol. 269). He was a member of the Provisory Council established 29th March, 1652, by the Parliamentary Commissioners (*Maryland Archives* iii, 271); was re-instated 28th June following (*Ibid.* 275), and, again appointed, took the oath as Councillor 11th February, 1653 (*Ibid.* 299). On the overthrow of Lord Baltimore's government, in 1654, he was elected Burgess for St. Mary's county, but refused to serve (*Maryland Archives*, i, 340), and subsequently took part in Stone's unsuccessful attempt to regain control of the province, for which he was imprisoned and fined (*Maryland Archives*, x, 428, 430). He is mentioned (*Maryland Archives*, iii, 356) as one of "three persons of his Lordships Councell eminent for theyr fidelities & sufferings in his

Lordships behalfe," the other two being William Stone and Luke Barber. He again was commissioned 10th July, 1656, member of Council (*Maryland Archives*, iii, 323), and held office, under Fendall's administration, until his death, which occurred in 1659. The following is an abstract of his will :

JOB CHANDLER, of "Portoback in the Province of Maryland"—dated 24th August, proved 7th March, 1659. To loving wife Ann Chandler, my negro woman called "Morratous." To loving daughter Ann Chandler, the negro man called Francisco, given her by her grandmother *Sarah Yardley*. Bequests of negroes to sons William and Richard Chandler. To dear wife Ann, a sorrel horse, with the mare colt my mare now hath, likewise what rings my said wife hath, with a jewell I bought her &c. To loving daughter Ann Chandler, a mare colt. To my said daughter Ann, my son William, and my son Richard, my mare with her increase. To my son William, my plantation that I now live on, with the land belonging to it, viz: 1,000 acres bought of Capt. Lewes, and 50 acres more which I added to it; and in case of my son William's mortality, I bequeath it to my son Richard Chandler. To my son Richard Chandler, that parcel of land lying between the plantation where John Cane now liveth and Goose Creek, supposed to be 500 acres, "and if, after Capt. Whittington's land and my brother Oversey's upon Nangenry Creek be laid out, the 400 acres I formerly surveyed, between that and the land of Colonel Yardley, do not fall into theirs, it is my will that my son Richard have that also." My wife Ann Chandler, to enjoy those lands given to my children, until they be 21 years of age, after which she is to enjoy one third of the same during life. My orchard to be kept in repair, and when it comes to maturity, my three children Ann, William, and Richard Chandler, to have one third of the profit, and my wife the other two thirds. To my kinsman Thomas Maris, two sows with pig, or with pigs by their sides. If any of my brothers in England shall desire to have any of my children sent to them there for their education, they are to be provided for and sent accordingly. If my wife Ann Chandler, shall marry again, and the man whom she shall marry do not perform the part of an honest man, and a good father-in-law to my children, then it shall be in the power of my overseers, hereafter named, to put my children, with what part of their estate they shall think fit, into the hands of some honest man &c., &c. My wife, Ann Chandler, sole executrix. My good friend Capt. William Stone, my brother-in-law Mr. Symon Oversees, and my loving friend and brother Mr. Robert Slye, to be overseers of this my last will and testament. Witnesses: Clement Theobald, William X Eale (*Wills, Lib. i, fol. 97*). Robert Slye married Susanna, eldest daughter of Thomas Gerard; how he was brother of Job Chandler does not appear. Mrs. Ann Chandler, widow of Job, subsequently married Gerard Fowke, of Charles county, who died in 1669, before 30th October, when his widow, Ann, took out letters of administration on

his estate (*Test. Proc.* iii, 272). There is on record a deed of gift, dated 11th March, 1672, from Ann Fowke to her son Richard Chandler, and her three children, Gerard, Mary, and Elizabeth Fowke (*Charles County Records*, v, 101). There is also a special warrant, dated 7th October, 1672, reciting that whereas Lieut. William Lewis obtained, in 1649, a patent for 2,000 acres in Portobacco Creek, in Charles county, and assigned, in 1651, said patent to Job Chandler and Simon Oversee jointly; and whereas said Job Chandler dying seized jointly thereof, his relict, Ann Fowke, entered and was possessed of one moiety of said 2,000 acres to the use of her children by said Job Chandler; and whereas the other moiety of the said 2,000 acres has since escheated; "now at the request and instance of our good friend Richard Chandler in behalf of said children," it is ordered that said moiety be granted to William Chandler, eldest son and heir of said Job (*Land Office, Lib.* xv, fol. 181, cf.; also *Calvert Papers* I, 258-9).

Simon Overzee, whom Job Chandler call his brother-in-law, was a merchant, and though it is stated that he was an "Englishman borne" (*Maryland Archives*, iii, 298), was probably of Dutch parentage or descent. His name is undoubtedly Dutch, and a tract of land owned by him was called Rotterdam. He resided at various times both in Virginia and Maryland (*Maryland Archives*, iii, 298; *William and Mary Quarterly*, II, 268). January 20, 1658, he entered rights for himself, Sarah his wife, and one child "in 1650" (*Land Office, Lib.* Q, fol. 323). His wife, Mrs. Sarah Overzee, died in child-bed, and was buried 9th October, 1658 (*Record Prov. Court Lib.*, S, fol. 164, 166). Now in a petition of Thomas Cornwaleys, dated 1st December, 1658, Mrs. Yardley, "widow of Colonel Francis Yardley," is called the mother-in-law of Job Chandler and Simon Overzee (*Lib.*, S, fol. 144). The whole relationship therefore becomes perfectly clear. The evidence here presented, compared with the Thoroughgood genealogy, *Magazine*, II, p. 414, puts it beyond a reasonable doubt that Mrs. Ann Chandler-Fowke and Mrs. Sarah Overzee were the daughters of Captain Adam Thoroughgood and Sarah his wife. Simon Overzee, however, married a second time. He died at the end of February or the beginning of March, 1659, without issue (*Chancery Lib.*, CD, fol. 9, 56, 103), and 18th December, 1660, his widow, Mrs. Elizabeth Overzee was granted administration on his estate, giving bond, 7th January, 1660, for 100,000 pounds tobacco (*Test. Prox. Lib.*, 1c., fol. 7). Soon after this she married Major George Colclough, for one Hugh Broin demands, 7th February, 1660, a scire facias against Major George Colclough and Elizabeth his wife, widow and administratrix of Simon Overzee, deceased (*Lib.* S, fol. 403). Major Colclough had also been previously married, his former wife having been Ursula, widow of Colonel John Mottrom, and before of Richard Thompson. Major Colclough died about 1662, and in 1663 his widow, Elizabeth, appears as the wife of Isaac Allerton (*Magazine*, I, 200; *Wil-*

liam and Mary Quarterly, IV, 39; *Calvert Papers*, I, 259; *Chancery Lib.*, CD, l. c. above), who had previously had a wife in New England also named Elizabeth (*New England Register*, July, 1891). The personality of Mrs. Elizabeth Overzee-Colclough-Allerton is now not difficult to discover. The power of attorney, 20th February, 1663, from Thomas Willoughby and Sarah, his wife, to "our loving brother, Isaac Allerton," the fact that Isaac Allerton had a son named *Willoughby* Allerton, and the entry of Elizabeth Willoughby among the headrights of Captain Thomas Willoughby, in 1654, all combine to prove that she was none other than Elizabeth, sister of Colonel Thomas, and daughter of Captain Thomas Willoughby (cf. *Magazine*, I, 200, 448).

DR. CHRISTOPHER JOHNSTON.

SLAVE OWNERS, ABINGDON PARISH, GLOUCESTER COUNTY, VIRGINIA, APRIL, 1786.

[Communicated by Edward W. James.]

George Belvin	1	Thomas Mason.....	1
Edward Busbie.....	4	John March.....	2
Aaron Belvin ...	2	Rich'd March, Jur.	13
Lewis Burwell, estate.....	24	John Mouring.....	4
John Camp	10	Edward Moore.....	6
Anne Coleman.....	2	Rich'd March, Sen'r.....	6
William Camp, Jr	9	Isaac Moore	6
Gibson Cluverius.....	27	William Oliver.	4
Atwood Cluverius.....	9	Thomas Oliver.....	7
Joseph Cluverius.....	32	John Oliver.....	9
Thomas Crew.	2	Seymour Powell	1
William Camp, Sen'r.....	2	Mary Powell	1
Samuel Cary.....	39	William Pigg	3
Grace Dobson	4	John Powell.....	2
James Dixon.....	8	Thomas Powell.....	2
Mildred Dewse.....	6	John Page.....	160
Johanna Dunlop.....	10	Theo'r Pointer.....	5
William Dunford.....	5	William Pipen	4
Joseph Eaton ..	1	John Perrin.....	116
Charles Edmunds	13	Thomas Ransone	2
John Evans.....	3	Hansford Row.....	8
Rachel Foster.....	18	Zach Row.....	16
Humphrey Garrett.....	1	Edward Row.....	4
Beverley Hall.....	5	Warner Shackelford.....	1
Cath'r Haywood	8	Richard Span.....	1

Sarah Hogg	5	Anthony Smith	6
Jno. Hobday, Sen'r	7	Catherine Stevenson	7
Thos. Hall, Sen'r	3	John Seawell, Sen'r	39
Jno. Hobday, Ju'r	2	Thomas Smith	1
Francis Hobday	11	Thomas Stoakes	10
Mary Henderson	4	Joseph Seawell	5
Lewis Hall	5	Mary Scott	13
Wm. Haywood	1	Zach Shackelford, Sen'r	2
Richard Hall	9	Elizabeth Seawell	5
Joseph Hall	1	John Spalding	2
Richard Hobday	16	Christopher Stoakes	7
John Jenkins	1	James and Rich'd Trice	5
Robert Jomis	5	Wm. Teagle estate	9
Charles Kercheval	2	Mary Tomkies	20
Warner Lewis	143	James Tool	1
James Lewis	37	Francis Thornton	25
Addison Lewis	24	Richard Tilledge	2
Thomas Lewis	16	Sarah Thruston	22
William Lucas	3	Jno. Thruston estate	2
Catherine Leavit	2	John Vincent	2
Potolomy Leavit	3	William Vaughan	16
John Leavit	2	Edward Vaughan	2
Charles Lively	2	John Vaughan	7
Christop. Lewellen	1	James Watlington	4

Copy

C. PRYOR, D. C. C.

1. John King patented land in "Glocester" county on the 10th of October, 1651, and the county was represented in the House of Burgesses in 1652 by Mr. Hugh Guinne and Mr. Fra. Willis. The Abingdon Parish Gloucester *Register*, 1677-1780, is now "in the library at the Episcopal Theological Seminary, near Alexandria." In 1724 the Rev. Thomas Hughes wrote to the Bishop of London that he had been in the Parish four or five years. Old Abingdon church, built in 1765, is still in use. Gloucester county has suffered greatly by fires. All of the county records were destroyed in 1820 by the burning of the clerk's office, and during the *War* the records after 1820 were carried to Richmond for safe-keeping, and by the burning of the city, suffered the same fate as those previous to 1820.

2. John Page was Governor of Virginia for three years, from December, 1802. Was born April, 17, 1744; died October 11, 1808. The reports hows that there were in the Parish 363 horses, 1,568 head of cattle, and 46 wheels of riding chairs, carriages, and other riding vehicles, and also that

14 persons owned	1 slave each	14
19 " "	2 slaves " "	38
5 " "	3 " " "	15
8 " "	4 " " "	32
9 " "	5 " " "	45
4 " "	6 " " "	24
5 " "	7 " " "	35
3 " "	8 " " "	24
6 " "	9 " " "	54
3 " "	10 " " "	30
1 " "	11 " " "	11
3 " "	13 " " "	39
4 " "	16 " " "	64
1 " "	18 " " "	18
1 " "	20 " " "	20
1 " "	22 " " "	22
2 " "	24 " " "	48
1 " "	25 " " "	25
1 " "	27 " " "	27
1 " "	32 " " "	32
1 " "	37 " " "	37
2 " "	39 " " "	78
1 " "	116 " " "	116
1 " "	143 " " "	143
1 " "	160 " " "	160
<hr/>		
98		1,151
Owners.		Slaves.

Authorities quoted : Records in the Land Office, and in the Auditor's Office, Richmond; Henning's Statutes at Large; Old Churches, Ministers and Families of Virginia, by Bishop Meade; Rev. Philip Slaughter in History of the American Episcopal Church, by Bishop Perry; Old Virginia Clerks, by Johnston; and Virginia Vestry Books and Parish Registers, by Mrs. Sally Nelson Robins, in Virginia Historical Magazine for July, 1895.

QUERIES.

THE WILLIAMS FAMILY.

105 MARYLAND AVENUE, N. E.,
WASHINGTON, D. C., *December 14, 1895.*

As a member of the Virginia Historical Society, and an interested student of Virginia History, and engaged in the effort to collect data for a genealogy of the Williams family, I desire any information I can obtain on the following points, viz:

1. The founder of this family was John Williams, born in Wales January 26, 1679, and his wife was Mary —, born in Wales September 26, 1684. They lived in Hanover county, Virginia. They had eight children. Can any one give me data as to the emigration of this pair, when they came, where they lived and died, when they died, and any other items? The destruction of the Hanover records seem to prove hopeless the task of getting anything of interest about them. I have data about all the children except one, but it is meager. The really full and reliable accounts begin with the third generation.

2. One of the daughters, Ann or Sarah, married a Daniel. Can any one give an account of any descendants? Among others probably, she had two sons and two daughters.

3. Joseph Williams, the youngest son, was the father of John Williams, the Baptist minister, an account of whom is given in Taylor's Virginia Baptist Ministers, page 127. He had another son, Matthew. Can any one give reference to descendants?

4. One of the daughters, Mary, it is thought, married a Graves, and had four sons, Henry, John, William, and Elijah. Of her daughters, one married a Barnett, one John Christmas, and Elizabeth married Joshua Coffee, father of General John Coffee, of Tennessee. I want data as to all of these families.

5. Hon. Marmaduke Williams (see *Wheeler's History of North Carolina*, Part II, p. 78), a great grandson of the emigrant above, married Mrs. Agnes Harris *nee* Payne, the widow of Robert Harris (son of Tyra Harris and Mary Ann Simpson). She was a cousin of Mrs. Dolly Payne Madison. They had, among other children, one named Madison Williams and one named Dolly Payne Williams (the writer's grandmother). Can any one give exact relationship to Mrs. Madison, names of Agnes (Payne) Williams' parents, and sources for a full account of the Payne family?

In case any one can supply valuable data to any extent the same will be paid for. I solicit correspondence. This is my own family, and I am anxious to complete its record. Address as above.

DESCENDANT.

RIVERS, RODES, CAMP, CANNON, FLOURNOY, BROWN, HOLLAND.

Aside from the Flournoy family history, the undersigned would be glad to correspond concerning the antecedents of any of the following:

(1) William Rivers, who died in Brunswick county in March, 1809.

(2) The Rodes family of Albemarle, Harrison, and possibly New Kent counties.

Tyree Rodes came to Middle Tennessee from Albemarle county, 1809.

(3) Captain John Camp, who emigrated from Greenville or Brunswick counties to Middle Tennessee in 1807.

(4) William Cannon, of "Mt. Ida," Buckingham county, who emigrated to Middle Tennessee, 1807-'12.

(5) Aaron and Lewis Brown (sons of Lewis, Senior), who emigrated from Brunswick county to Middle Tennessee, 1813.

(6) William Holland, whose son, James, settled at Rutherfordton, N. C., and was senator, representative, congressman, and emigrated to Middle Tennessee, 1811.

FLOURNOY RIVERS.

Pulaski, Tennessee.

HOLFORD FAMILY.

Omerod's History of Cheshire, Vol. II, p. 239, contains an account of the family of Holford of Davenham, whose arms were : *Arg. a greyhound passant sa. with a Canton sa. for difference.* Arthur Holford, younger son of Sir George Holford, of Holford, and heir in remainder, by a deed dated 22d, Henry VII, was the father of (2) Arthur Holford, of Davenham Gent., living 6th Edward VI, who married Anne, daughter and heiress of Wm. Bostock, of Huxley, and was father of (3) John Holford, of Davenham, Gent., born there March 29, 1587-8, married Eleanor, daughter of Richard Hussey, of Albright-Hussey, Salop, and was the father of (4) John Holford, of Davenham, aged upwards of 27 in 31st Elizabeth; married Elizabeth, daughter of Thos. Reddish, of Reddish Lane, gent., and was father of (5) John Holford, of Davenham, who was aged 7 in 3d James I; married Jane, daughter of Thos. Mallory, Dean of Chester, and had issue: I, John, son and heir; II, Richard, married Elizabeth, daughter of Richard Mallory, of Mobberly, Yorkshire; III, Thomas, "married in Virginia."

On May 29, 1668, a patent for 5,878 acres in Charles City Co., on the south side of James River was granted to Thomas and Henry Batte, sons of Mr. John Batte, deceased (whose wife was Martha, daughter of Thos. Mallory, Dean of Chester, and whose sister, Catherine, had married Rev. Philip Mallory, a son of the Dean, and afterwards a prominent minister in Va.), and among the head rights for this patent were several persons named Batte and Mallory, and Thomas and Anne Holford.

Did Thos. Holford leave descendants?

SEVIER FAMILY.

I am collecting material for a genealogy of the Sevier family.

William and Valentine Sevier came to America about 1740. William settled in Maryland, and married Miss O'Neil. Valentine settled in Rockingham county, Virginia, and married Miss Joanna Goode, and was the father of Governor John Sevier.

I desire information regarding the descendants of William and Valentine Sevier, also the parentage of Miss O'Neil, Miss Goode, and Miss Sarah Hawkins, who was the first wife of Governor Sevier.

MARY SEVIER HOSS,
Nashville, Tenn.

GENERAL WM. RUSSELL.

Any information as to the genealogy of General Wm. Russell, Bvt. Brig.-Gen'l during the Revolution, of S. W. Virginia, and as to the names of his children or those of his son Colonel Wm. Russell, of Virginia, and (later) of Kentucky, etc., is desired, and will be thankfully received, by

GEO. W. KIRKMAN,
Lieut. U. S. A., Benicia, California.

MARY FONTAINE.

Mary Fontaine, grand-daughter of Rev. Peter Fontaine, the emigrant, married Bowles Armistead. Who were the parents of Bowles Armistead, and from what branch of the Armisteads was he descended?

MISS ELIZA S. WASHINGTON,
Charles Town, Jefferson Co., W. Va.

HARPER, MITCHELL, DRAKE, HUGHES, AND FERRISS FAMILIES.

I desire and will greatly appreciate any information concerning the following Virginia families prior to the beginning of this century: Harper, Mitchell, Drake, Hughes, Haley, Ferriss. I especially want antecedents of Rt. Rev. Edward Mitchell, 1760-1837, said to have served in Virginia Rifles under Col. Wm. Campbell, afterward a Methodist clergyman in Botetourt county.

HARVEY M. HARPER,
204 Dearborn Street, Chicago.

PARENTS OF NOAH WILLIAMS.

Wanted, the name of the father and mother of Noah Williams, who lived near Linden, Virginia, and died there in 1827, he having served in the war of 1812, in Captain Francis Ireland's company, of Lieutenant-Colonel Griffin Taylor's regiment, Virginia Militia, from August 25th to November 29, 1814. His wife was Harriet Shanks Walter; born 1797, died 1839. She was administratrix on Noah's estate, as shown by Frederick county records, 1828, of which county Linden was then a part, and the record mentions "Mrs. William Williams" and also Vincent Settle. Was William Williams, who, as shown by Fauquier county records, was married to Eliza Settle, February 9, 1788, the father of said Noah? I have the impression that Noah was a substitute in the war for Vincent. Any information will be thankfully received.

W. MOSEY WILLIAMS,
1421 F. street, N. W., Washington. D. C.

BOOK REVIEWS.

HISTORY AND GENEALOGY OF PETER MONTAGUE, OF NANSEMOND AND LANCASTER COUNTIES, VIRGINIA, AND HIS DESCENDANTS, 1621-1894. Compiled and published by George William Montague, also author and publisher of "History and Genealogy of the Montague Family of America," 1886. Amherst, Mass., U. S. A. Press of Carter & Morehouse, 1894. [Presented by the Author.]

Only those who have attempted to compile the genealogy of a Virginia family of early settlement, rapid increase, and wide dispersion, such, for instance, as the Montagues, Taliaferros, or Armisteads, can form any conception of the great amount of careful and painstaking labor which Mr. Montague has performed in the preparation of this book. In such cases it is probable that there is nothing in print, or if there is, it is merely a reproduction of uncertain and sometimes contradictory tradition; the members of the family, with such special information as each may possess, are scattered all over the South and West, and such manuscript evidences as may have been preserved, as family Bibles, deeds, wills, &c., may be in the possession of a next-door neighbor, or may be in California. Even where an old Bible has been preserved, it refers only to one line, and leaves the others in darkness. The compiler's first resort is the slow and costly work of examining the records in the various counties where members of the family have lived. If he should be so fortunate as to find that the records of the counties he is interested in have escaped the ravages of time and war, he has then to make a patient, page-by-page search of many huge volumes, and note every name and every date, for any one of these may be of the highest importance in identification or in supplying the gaps left by the (to the compiler) most provoking carelessness of people in not making wills. All this work, and more, Mr. Montague has done, and done well. He was fortunate in working in counties like Middlesex, Lancaster, Essex, Spotsylvania, Louisa and Cumberland, where the records are almost entire. Had the family treated of been resident in Stafford, Gloucester, or Nansemond, it would have been impossible to collect any complete or accurate pedigree. But even with this advantage, his undertaking was a difficult one. He says in the preface:

"Families had not to any extent moved [prior to 1720] from original homesteads, the generations had lived and died in the same neighborhood, and each generation seemed to have borne the same names of William, Thomas, and Peter; of Elizabeth, Caroline, and Frances. It seemed impossible to separate one from the other. Even when the records of all the counties were in hand, it was found impossible to form

from them a connected pedigree. It was only when copies of the few vestry books [the parish register] of Christ Church, Middlesex, were used in connection with the various county records, that light began to appear."

Mr. Montague found, as other genealogists have, that the parish register was essential to his work, and uses it largely. We are glad to be able to state that the Virginia Society of Colonial Dames has recently had the register of Christ Church parish, Middlesex, copied, and propose to print it at an early date. It is to be hoped that the Colonial Dames will receive ample support, and that they may be encouraged to carry out their wish to publish all of the remaining vestry books and registers. Such a publication would be a contribution of great value to Virginia genealogy and local history.

The book now under examination is a handsomely-printed volume of nearly 500 pages, and treats at length of the descendants of Peter Montague, son of Peter and Eleanor Montague, of Boveny, parish of Burnham, Buckinghamshire, England, who came to Virginia in 1621, when sixteen years of age. The pedigree of the Montagues of Boveny, beginning with Wm. Montague, of Boveny, whose will was proved in 1550, was entered in the Visitation of 1634, when Peter Montague is stated to be "now in Virginia." While Mr. Montague shows good reason to believe that this family was descended from some cadet of the great house of Montacute, Earls of Salisbury (they bore the same arms, with an addition of three pellets), yet the members appear to have lived quietly the life of the minor gentry of the time, the only person of public note among them being the learned and disputatious Richard Montague, successively Bishop of Chichester and Norwich, who died in 1641, and was the first cousin to the grandfather of the immigrant.

Peter Montague settled first on the plantation of Samuel Matthews, and afterwards removed to Upper Norfolk (Nansemond), which he represented in the House of Burgesses in 1652 and 1653. About 1654, probably, he removed to Lancaster (then including Middlesex), and represented that county also from 1651 to 1658. He was a large landowner and a leading citizen, and was styled "Col. Peter Montague," from his rank in the militia. His will, proved May 27, 1659, is on record in Lancaster. Of his descendants in each generation, to the present, Mr. Montague gives everything that most careful inquiry and research could gather. Among the individuals of most prominence were Col. Philip Montague, who served actively in various commands in the Middlesex militia during the Revolution; Lewis Montague, sheriff of Middlesex, 1762; Col. James Montague, of Middlesex, member of the Convention of 1776, and County Lieutenant during the Revolution; Rev. Philip Montague, a distinguished Baptist minister; Richard Montague, Lieutenant State Navy in the Revolution; General Chas. P. Montague of Maryland; Lieutenant Walter P. Montague, C. S. N.; Prof. Andrew P. Montague,

Columbian University; Judge Robert Latane Montague, of honored memory, Lieutenant-Governor of Virginia, member of Confederate Congress (of whom there is a portrait); Edgar Burwell Montague, Colonel 32d Va. Infantry, C. S. A.; Lieutenant Wm. L. Montague, C. S. A., mortally wounded at the Crater, and Capt. Thos. B. Montague, C. S. A., also injured at the Crater.

On page 407 is given a very quaint epitaph from the tomb of Captain Richard Ball (whose daughter married William Montague), lying in a secluded spot near Lancaster Courthouse. It is as follows:

"The body of Capt. Richard Ball
Lies entombed within this wall
Thrice seventeen years, two months his age,
He dwelt on earth. But from this Stage
He was removed by God's great grace
We hope into a nobler place;
October was the month wherein
He was acquitted from his sin
Even the twelfth day at ten at night
Death did deprive him of our light
One from the date of twenty-seaven
The Lord (we trust) took him to Heaven
1726."

This was indeed poetic frenzy.

Mr. Montague's book not only includes the descendants of Colonel Peter Montague in the male line, but all the descendants through females, so far as he could ascertain them, to the tenth and eleventh generations.

The volume contains four engravings of coats of arms, a pedigree chart (from the Visitation of 1634), and thirty-nine portraits. The work in all its details deserves high commendation.

A CHART OF THE ANCESTORS AND DESCENDANTS OF REV. ROBERT ROSE. Prepared by W. G. Stanard for Miss Annie Fitzhugh Rose Walker. Richmond, 1895.

This chart, which was prepared with great care and thoroughness by Mr. W. G. Stanard, so well known as a genealogist and as a contributor to the *Virginia Magazine of History and Biography* and the *William and Mary College Quarterly*, presents in a very accessible form the ancestry as well as posterity of that distinguished clergyman, the Rev. Robert Rose, from whom so many persons of prominence in the social and political history of Virginia claim descent. One of the most gratifying evidences of the growing interest in the past of Virginia is the number of genealogical works relating to its families, which have been recently published. While these publications bear principally upon the

details of family descent, they contain much that is of value to the student of history proper. Keith's "Ancestry of Benjamin Harrison," Brown's "Cabells and their Kin," Montague's "Montague Family," and Dr. Lee's "Lee of Virginia," are works of very great merit. Charts like that under review, though in a much less ambitious form, subserve a very useful purpose. We trust the example set by Miss Walker, a descendant of Rev. Robert Rose, in securing the preparation of the Rose chart, will be imitated by others who are sprung from ancestry of equal distinction, and, therefore, of general public interest.

ONE HUNDRED YEARS AGO, or the Life and Times of the Rev. Walter Dulaney Addison. By his grand-daughter, Elizabeth Hesselius Murray. Philadelphia, Pa. George W. Jacobs & Co., 1895.

In her graceful preface, Miss Murray speaks of her book as "perhaps not even a book, but simply a bundle of relics of another age that I have bound together with the slenderest of threads." Whether a bundle of relics or not, the accomplished authoress has succeeded in presenting a picture of the olden times in Maryland of absorbing interest. Indeed, we know of hardly another equal to it. That early life in the Province, whether at Annapolis or on the plantation, appears again as in a vista, with all its beauty and quaintness brought out in the clearest detail. Was there ever such a life elsewhere with its constant association with Nature and at the same time with a society of great refinement? In Colonial Virginia alone was its counterpart to be found. It is such books as Miss Murray's that explain to us the influences moulding the character of the rural gentry which, in the Colonial age, dwelt in Maryland and Virginia. Love of family, love of home, love of country—we see how all of these instincts, inherited from English forefathers, were fostered and strengthened by the Colonial hearth-stone. What brave men, what beautiful women were nourished under those ancient roof trees! What a charming hospitality was seen there; how spontaneous the gayety! It was as if the freshness of the green fields and forests were ever renewing the hearts of the people. The value of Miss Murray's book is not confined to a social point of view. It throws much light on the political feeling at the opening of the Revolution and also on the condition of the Church, although it is primarily the history of one distinguished family. To the general reader as well as to the special student we can heartily recommend it.

FIFTY YEARS A PASTOR. An account of the observance of the Semi-Centennial Anniversary of the Installation of Rev. Moses Drury Hoge, D. D., LL. D., in the Pastorate of the Second Presbyterian Church, Richmond, Va. Richmond, Va., 1895.

This little book was published as a souvenir of the semi-centennial celebration of Dr. Hoge's pastorate, and also as a compendium of facts

which are certain to have an increased interest from a historical point of view with the progress of time. The celebration was in itself a remarkable event, representing as it did the combined tribute to one of the most distinguished clergymen of the Western hemisphere, of "Catholic and Protestant, Jew and Gentile, churches of varying creeds, military and civic organizations, social, literary, industrial and philosophical societies." It is indeed a permanent monument to a man who whether regarded as a minister of the gospel or as a citizen is entitled to all the honor and respect that can be paid him.

THE LOWER NORFOLK COUNTY, VIRGINIA, ANTIQUARY. No. 1, Part 2. Edited by Edward W. James, Richmond, Va., 1895.

The second part of No. 1 of this periodical confirms our prediction upon the issue of the first part. It has already become of great value to all who are interested in the history of Virginia. Of unusual importance is the list of slave owners in Princess Anne county in 1850 and 1860, which shows the distribution of slave property among the planters of that county in those years. These lists, given by Mr. James, are significant as refuting the supposition of so many Northern writers that the slaves of Virginia were concentrated in large numbers in a few hands, and that what may be called the yeomanry class had no interest from the point of view of slave property, in carrying on the late war. The average number of slaves to the planter in Princess Anne in 1850 and 1860 was very small, and this was true of every county in the State, even in those parts where tobacco was grown.

Other selections of interest in this number of the *Antiquary* are "Newton-Washington Letters;" "One of the Duties of Vestrymen;" "Princess Anne County Committee of Safety, 1775;" "James Silk Buckingham;" "Witchcraft in Virginia," and "Memoir of Mrs. Helen Read."

The only fault we have to find with the *Antiquary* is one very complimentary to its interest and value. It is not issued quite often enough. We would suggest to its editor that he make it a quarterly. At present it is issued semi-annually.

AMERICAN HISTORICAL REVIEW, No. 1, of Vol. I. Prof. James F. Jameson, managing editor. Macmillan & Co., New York, Publishers, 1895.

A thorough, impartial, and outspoken Historical Review has long been needed in America. The recent proposition to establish a Review of this character, which would reflect the highest scholarship of our country, was received with marked attention and approval. It is a source of unmixed satisfaction to all who are interested in American history that this proposition has been carried into effect, and that we now have

a Review which commands the respect of scholars everywhere. Only the first number of the American Historical Review has at this writing appeared. If this number, which is rich in articles—historical and critical—of the highest interest and value, can be taken as a sample of what is to follow, American historical scholars are to be warmly congratulated on possessing at last a Review which can stand a favorable comparison with the ablest published in the world. The selection of Prof. Jameson as managing editor was very appropriate, as he is one of the most distinguished of the younger historical scholars of America, and fully in sympathy with the new spirit of investigation which has accomplished such important results in historical science in the course of recent years.

THE FAMILY OF DOUGLASS OR DOUGLAS, OF GARALLAN IN VIRGINIA. W. H. Abbott, Heraldic Draughtsman, 54th Street, Blythe-bourne, L. J. [Chart.] Presented by John S. Wise, Esq.

The following account of the immigrant ancestor of this family is given in a note on the chart:

"Colonel William Douglas came to Virginia from Scotland about the middle of the eighteenth century, and settled in Loudoun county. In 1770 he was one of the justices of Loudoun county (*Virginia State Papers*, Volume I, page 263). In February, 1780, he was high sheriff (see *County Court Records*). At March term, 1783, his last will and testament was admitted to probate. It is dated June 3, 1780. * * * It also identifies him as follows: 'All the part of my Estate which will come to me by the decease Mr. Hugh Douglass of Garralland in the Parish of Old Cumnock, North Britain, I devise,' &c. * * * *

JOHN S. WISE."

New York, May 15, 1894.

This chart is a handsome piece of work, and shows much care and research in its preparation. Hugh Douglas, of Garralland or Garallan, father of Colonel William Douglas, was descended from many ancient and eminent Scotch families, among them the Humes, Crawfords, Menzies, Campbells, Douglas, Earl of Drumlanrig, and the Earls of Douglas. Apparently the descendants of Colonel Douglas are given in full, including besides descendants in the male line (one of whom was Hugh Douglas, who commanded a brigade of Virginia militia in the war of 1812), the names of Buckner, Richards, Baxter, Wilson, Williams, Wise, Dallas, Dabney, Crockford, Tebbs, Duval, McCabe, Terrett, Binns, Blackburn, Hale, Payne, Calmes, Hamilton, Dixon, Neilson, and others.

Families of Scottish descent have long formed a large and important element in the population of Virginia. Coming at first in small but late in ever increasing numbers, they have taken a prominent part in public affairs (civil and military) in the ministry and the professions, and especially in business. The first Scots in Virginia were chiefly ministers and

physicians, such as Rev. James Blair, the founder of William and Mary, his brother, Dr. Archibald Blair, who was father of President Blair, of the Council, and grandfather of Justice Blair, of the United States Supreme Court; and Rev. David Lindsay, of Northumberland county, son of Sir Hilsome Lindsay, Lord Lyon King at Arms, and ancestor of the Opies, &c. Others who settled in Virginia were the Alexanders, who claimed descent from the Earl of Stirling, and whose descendants are now so numerous; the Flemings, claiming descent from the Earl of Wigton; the Boyds, of Mecklenburg county; Rev. John Cameron, ancestor of Governor William E. Cameron; Rev. Archibald Campbell, D. D., of Westmoreland county, uncle of the poet, Thomas Campbell; the Grahams, numbering so many men distinguished in the army; the Hendersons; John Henry, father of Patrick Henry; the McDonalds, McRaes, and Monroes; General Hugh Mercer; the family of President Monroe (who was also descended from another Scotch-Virginia family, that of Spens, or Spence); the Murrays, of "Athole Braes," in Amelia; Nimmos, Ramseys, Robertson (Judge John and Governors Thomas B. and Wyndham Robertson); Rutherfoords, which gave a governor to Virginia in the person of John Rutherfoord; Semples, of the family of the distinguished jurist, James Semple; Sinclair, of fame in the navy; Spotswood; Keith (ancestor of Chief Justice Marshall); Stuart, of King George, &c.; Harvie, Halyburton, Carmichael, Somerville, Dunlop, McCaw, Glassell, Gilmer, Galt, Jerdone, Hay, Hunter, Innes, Johnston, Colquhoun, Forbes, Peter, Seaton, Craik, Knox, Gordon, Irving, Wallace, and others as well known. Pride of ancestry and love of his native land is always strong in the Scot, and they have, as a rule, been careful to preserve the record of their ancestry. It is to be hoped that the history of more of our old Scottish families may be as well and carefully preserved as that of the Douglas's, of Garallan, has been.

PUBLICATIONS RECEIVED.

Provisional Government of Maryland, 1774-1777. By John A. Silva. Johns-Hopkins University Press. Baltimore, Md., 1895.

Atlantic Monthly for September. Boston, 1895.

Putnam's Monthly for September, 1895. Boston, 1895.

Miscellanea Heraldica and Genealogica, Vol. I, Part VI, VII. London, 1895.

Collections and Proceedings of Maine Historical Society, October, 1895. Portland, Me., 1895.

Rhode Island Historical Society Publications, U. S., October, 1895. Providence, R. I.

Pennsylvania Magazine for October. Philadelphia, Pa., 1895.

American Historical Register for October, 1895. Philadelphia, Pa., 1895.

Records of Connecticut, 1778-1780, Vol. II. New Haven, Conn.

Mystic Circle of Kate's Mountain. By John Howard. Richmond, Va., 1895.

The Old Virginia Doctor. By John Herbert Claiborne, M. D. Petersburg, Va., 1895.

The Jerseyman for September, 1895. H. E. Deats, editor. Flemington, N. J., 1895.

U. S. Saving Service Report for 1894. Washington, D. C., 1895.

- American Historical Review, No. 1, Vol. I. New York, 1895.
- Report of New York Genealogical and Biographical Society, Twenty-fifth Anniversary, 1895.
- New England Historical and Genealogical Register, October, 1895.
- Lower Norfolk County, Virginia, Antiquary, part 2, No. 1. Edited by Edward W. James. Richmond, Va., 1895.
- Northamptonshire Notes and Queries, June, 1895.
- Fenland Notes and Queries, July, 1895.
- Somerset Notes and Queries, September, 1895.
- William and Mary College Quarterly, October, 1895. Williamsburg, Va., 1895.
- Address at Inauguration of the Wyoming Monument.' By Sidney R. Miner. Wilkes-Barre, Pa., 1895.
- Canada and Nova Scotia Geological Sheets. Ottawa, 1895.
- American Geographical Society Bulletin, No. 3, 1895. New York City.
- Protestant Episcopal Review for October, 1895. Alexandria, 1895.
- Scottish Antiquary, October, 1895, Edinburgh.
- Gloucestershire Notes and Queries for June, 1895.
- Seventh Report of Virginia State Bar Association. Richmond, 1895.
- American Antiquarian Society, Part I, Vol. X. Worcester, Mass., 1895.
- Rebellion Records, Series I, Vol. XLVI. Washington, D. C., 1895.
- General Daniel Morgan. An address delivered by Armistead C. Gordon before Scotch-Irish Association. Staunton, Va., 1895.
- Mystery of the Name Pamunkey; Algonquin Appellatives of the Tribes of Virginia; Reprints by Wm. Wallace Tooker.

Roll of Members of the Ancient and Honorable Artillery of Massachusetts, 1638-1894. Boston, 1895.

Putnam's Monthly Historical Magazine, October, 1895. Salem, Mass., 1895.

ERRATA.—On page 190, Vol. III, in Dr. A. G. Grinnan's article, "Last Indians in Orange County, Va.," for "Gwin Mountains" read "Twin Mountains." On page 290, the Cocke Genealogy, for "there were no bricks in the country," etc., read "there were many bricks in the country, but few good mechanics."

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THE
VIRGINIA MAGAZINE
OF
HISTORY AND BIOGRAPHY.

VOL. III.

APRIL, 1896.

No. 4.

DEFENSE OF COL. EDWARD HILL.

[WINDER PAPERS, VIRGINIA STATE LIBRARY.]

Article 7.

That the s^d Hill coveteously minded to enrich himself by the ruin of us his Ma^{ties} subjects hath endeavored Moste arrogantly to smother, conceale, & invallid his Ma^{ties} Moste gracious proclamation of pardon and by menaces and threats extorted dyvers compositions, & rewards from dyvers of us (not to informe ag't them as he s^d) to procure theire pardon, namely from John Tate, Nevet Wheeler, John Sturdyvant, Thom Milton, Sarah Weekes, John Baxter & his wife, John Higgaldy & others, although he well knew the s^d p'sons, and every of them were not absolutely pardoned by the King's proclamation and S' Will^m Berkleys likewise, And the better to effect this his designe causeth one of his creatures, or under officers to threaten some wth imprisonm^t but for reading the King's proclamation, wth was sent from Swann's point, and the more to terryfy & frighten his s^d Ma^{ties} subjects into such composition wth him as afore^{sd} by harmes done to others in the like case. He the s^d Edw. Hill: by his interest & prevailing wth the s^d S' Will^m Berkley procureth warrants to be to him directed from the s^d S' Will^m Berkley for the seizing and securing the p'sons & estates of dyvers in this county, that had, and that he knew had, layd hold of & were pardoned by

the Govern^r & the King's proclamation afore^d as namely Thom. Blayton, Robb. Joanes, Anthony Havyland, Francis Wilks, and Jno. Sturdyvant, Nevet Wheeler, the two last of w^{ch} by Composition he released, or procureth theire discharge, Havyland & Wilks put in prison; this one sentenced to banishm^t, that one brought to greivous penalty & fine beyond possibillity, and before either of them were brought to any answeare, or heard what they had to say for themselves. And as for the s^d Blayton to worke his mallice on him for an old grudge, he the s^d Hill bore him as will be proved to yo^r houn^t he the s^d Hill rigorously and unlawfully dealt wth him, plundering part of the s^d Blayton's goods, & in the like violent and unlawful mann^r seizing & taking from him all his bookes of acc^t deeds, leases, letters, and all other his writeings & papers whatsover, not soe much as sparing the papers in his pockets, w^{ch} wth his pistol cockt he forced from him, denying to let him keep a petition he had prepared & drawne to the Govern^r for his discharge, & other papers concerning the same matter. As to Joanes, he the s^d Hill's underofficer dealt wth the like riggour & cruelty, taking away his servants, killing his stock, workeing his oxen and other hardships, all w^{ch} proceeding of the s^d Hill & his underofficers are highly repugnant & derogatory to his sacred Ma^{ty} moste gracious proclamation, Extended and granted to the poore inhabitants of this country, & contrary to the houn^t & faith of the s^d S^r Will^m Berkley.

The 7th is a very long article, filled with notorious falsyities, bitter agravations, as theire course is, and some truths w^{ch} they have soe dresst that when I shall have shewed her in her nakedness shee will appeare another thing. I shall freely owne my actings in every parte, and must & doe begg pardon for my faults, and though it is impossible to answeare, and cleare one's self in as few lines as one may be criminated in, yet I shall use all the brevity I cann. The first of agravation, and ye consequence of smothering, concealing & invalliding his Ma^{ty} proclamation, is soe fals that neither them that writ it, nor any one els will aver it, and yo^r honn^t may remember noe one could say soe: That John Tate did make suite to me on my first coming into the county (when I was Inventorying Blayton & Wheeler's estates) that I would not be harsh or severe wth him is true, and

that he did solicit me by Capt. Wyat, and alsoe by Jno. Harris, owneing he had deserved very much for his activeness in the rebellion and was very conscious that I had suffered very great losses and that it was reasonable I should be reimbursd, in order to w^{ch} proffered me tenn bushells of wheat (knowing my owne was all destroyed soe that I had not bread to eat) and three hhds of tob^o, and prayed that I would be his friend and mitigate the Govern^r anger, this to Capt. Wyat himself and Harris I doe deny, telling them I had noe orders from the Govern^r concerning him & had nothing to say to him, but however, Tate thinking that gifts mollify anger got Harris, one Mr. Field after that, to marke three hhds of Tob^o wth my marke & name and tells me he would send me tenn bushells of wheat. Aboute tenn days after w^{ch} I goe downe to Green Spring, there finde his Ma^{ties} proclamation of pardon wth the Govern^r and finde that by both w^{ch}, Tate is wth in the pardon, and as I came up called at Tate's, & read him the King's pardon, tell him that I believed he would not be executed ag^t in the Govern^r pardon. The man & wife wth great joy give me many thanks; three or foure days after this having occasion to send my boate y^e way bid them call at Tate's for the wheat w^{ch} they did and brought, & some pease he sent, but what became of the tob^o to this day I know not. I sent for it but the man's turned was served; as to Wheeler, I had comands from his houn^r the Govern^r to seiz Wheeler, Sturdyvant, Blayton and Joanes, and seiz Inventory, and secure their estates, w^{ch} I accordingly did. When I came to Wheeler after almost a day's search, many, & severall being out after him, he comes in where after I had told him my orders he submits; after some discourse of the business in hand, I told him he owes me two hhds of tob^o, he tells me he thinks not, but he would be willing to pay me one w^{ch} was then rec'd wth my marke, after w^{ch} the estate was Inventoried, a great part of it that night, & the tob^o struck wth a broad arrow the next morning. I come again to Wheeler, then he proffered me that I should have another hhd; but neither of them removed, but incerted in the Inventory to be p'sented the Govern^r and Grand Assembly wth these notes on them, and there left to their wisdomes to Judge whether that tob^o belongs to me or not, and that tob^o not removed till after the s^d Wheeler was discharged and cleared from

the King, and although perhaps Wheeler doeth not now believe he (owed) the full of them two hhds, yet my bookekeeper (is prepared) to make oath that Wheeler's debt to me is Eight hundred [——] of tob° & caske, but may it please yo^r houn^t Wheeler [——] agrieved, onely the good people were agrieved because they thought Wheeler had been thankfull for my civilityes. As to Sturdyvant, he was sumoned to sweare whether he had been civill to gratify my wife for begging his life, and must be inquired into whether in truth he did not make an offer of I know not what, and the man put his oath sweares he never proffered anything, nor was ever asked anything, but that truely out of good gratitude did p^rsent five hhds of tob°, and that this man is not grieved, but the peeple, or rather Mr. Mings & Mr. Blayton. As to Thom: Milton, he was was never put in prison. Sarah Weeks, an Idle, infamous slutt to the highest degrees, of robing, thieving, and whoreing, &c., I put under guard for a time. Jno. Baxter, John Higgaldy were moste notorious traytors & rebels taken prisoners, and not wthin the Govern^r pardon to Coll^o Bridger, wth is that they must meane, for they were prisoners before his Ma^{tie} came in, or the Govern^r proclamation came out. Baxter and wife I put under guard, & after to prison, and Higgaldy was sent there by Capt. Mallory's*

* Captain Mallory was probably Thomas Mallory, aged 40 years, who made a deposition in 1676 in regard to the conduct of Edward Hill. Thomas Mallory appeared, along with Roger, Philip, Nathaniel, Sr., Nathaniel, Jr., William, and Elizabeth Mallory, as head-rights to a grant, April 29, 1668, to Thomas and Henry, sons of John Batte, deceased. This John Batte married Martha, daughter of Thomas Mallory, Dean of Chester, and his sister, Catherine Batte, married Rev. Philip Mallory, son of the Dean. Roger Mallory was the ancestor of the Elizabeth City family of this name, and it is probable that the descendants of Captain Thomas Mallory lived in Prince George, which was formed from Charles City. Francis Mallory was sheriff of Prince George 1705, and died in 1719. His will, dated last day of February, 1718, and proved in Prince George August 11, 1719, names his wife, Elizabeth (to whom he gives the land where he lived, with remainder to his son, John), son, Francis (to whom he gives his other lands in Prince George and Surry), and daughters, Elizabeth, Ann, Mary, and Martha. Persons of the name, who were probably descendants of Francis Mallory, settled in Brunswick county. Roger Mallory, Jr., a native of Prince George, married in

warrant, the full answer for wth I shall give in my answeare to the ninth article.

As to the story of my creatures threatening imprisonment to them that read the King's proclamation that came from Swann's point I knew it not. As to my procuring a warrant directed to myself I doe profess (as I never did, nor ever will deny his moste sacred Ma^{ties} Govern^{ment} comands to me) soe have I never been pressing for either houn' or trouble. I have s^d before that I had Comands to seiz Blayton, Joanes, Studyvant, & Wheeler, but Joanes was secured before by Capt. Lucy, by the comands of Coll^{le} Bridger, and onely the estate Inventoryed by me. Havyland and Wilks I never had order concerning, but I thinke were taken and carried to Mag^r Ew^m Browne's guard in Surry county, although had I had comands, I should have surely taken those two. As to my releasem^t of Sturdyvant & Wheeler, I have answered, but when I consider what a great grievance it is (that such notorious villaines as Havyland and Wilks should have small punishm^t, when indeed they deserved death) makes me wonder at their spirits, and makes me thinke sometimes that I am wth all the world mistaken (these were not rebells) first Havyland was the first onely active man that appeared on the stage of rebellion to gather people together; his wife, an excellent divulger of news, was sente poste up & downe the country, as Bacon's Emissary, to carry his declarations and papers, and noe better man (then Haveyland) found, as is s^d to indite the first declaration set forth for the rebellion, wth was absolute treason, desiring all peeple to Joyne wth them, and I must say that Blayton comended it to me as an absolute piece and sent it to me, wth I imediately carry'd to the Govern^r. Havyland, innocent man, went to the Occancuches, and was one of the forward men to quarrell for the beaver, of wth (onely he) had some, continues still in his rebellion, goes along wth his

Brunswick, about September 24, 1788, Tabitha Baugh. A marriage license was issued in Brunswick May 24, 1786, to William Mallory and Sarah Atkins. James B. Mallory was a member of the House of Delegates from Brunswick 1820, 1826, 1827, 1836 (and possibly other years), and of State Senate 1838, &c. R. M. Mallory was a member of the House of Delegates from Brunswick, and county judge about 1873.

Capt, Joanes and company downe to Surry, where meeting wth poore honest Thom. Moore, moste manfully shootes him through the body, leaving him weltring in his blood, and when some (more Christain) p^suaded him to have dressed him (the s^d Moore) being a surgeon, sweares this (then Bacon's oath) damn him, would never dress the wounds he made; but should I tell all his & Wilkes, theire faults (as very a villain as himself) I should stain sheets of paper; tis sufficient for me I was not concerned neither in their imprisonm^t nor theire discharge, although I have fresh cause of wonder at their imprudence, to tax the proceeding of it when they would be very unwilling I am certain to stand theire tryall, onely I must say in comon esteemation Havyland is worth fifty thous^d hds of tob^o and is fined five thous^d to the King; p^rhaps not half soe much as he hath stolne, and as for Wilk's banishm^t he came in last yeare, and hath nothing to be banished from, and onely wants a budget to make him a Tinker again; but when Mr. Blayton is to speake for himself & his owne sufferings, then he thunders it, then all that is done to him is rigorous, plundering, and violent, &c. I shall wth all sincerity and truth tell the story of my proceedings wth him, although it may seem tedious and impertinent, yet it will shew the truth.

When his houn^r was pleased to give me his comands for the take of Blayton, &c., Capt. Robert Morris was then at Green Spring, and had made a complaint ag^t me to the Govern^r for takeing Baxton, who he p^rtended was wth in his pardon in that comission given Coll^o Bridger & him, w^{ch} I denyed, and soe made it appeare, but all that time Capt. Clemans being alsoe by I told his houn^r that if Capt. Morris was soe concerned for one that was not wth in the pardon how would he be when Blayton and the rest were taken. His houn^r answeare was I should follow my comands, it was not in theire comission to pardon such notorious villains & traytors. I then spoke to Capt. Morris, and asked him if he heard what the Govern^r say^d who answered yes, I then prayed him not to give Blayton notice of it, for it would hinder the performance of the Govern^r comands, w^{ch} he made me a promise to do; the next day I goe home & I thought Sturdyvant the moste dangerous p^rson, to make either escape or disturbance, haveing been maj^r & chiefe comander of our

county in the rebellion, and haveing been a trader wth the Indians to whome he mought goe. I goe first wth a file of soljⁿ & take and secure him, when I return home w^{ch} was the same night, I finde a letter from Blayton, wherein he gives me an acc^t that knoweing the Govern^r comands to me, that he had fled to Capt. Morrice for his protection, and that he was on board the Prince (wth a great many good words to me) and prayes to see me; the next day Capt. Morris comes, tells me the same story Blayton had, & sayth his ship should be his prison, after I had told him I had the Govern^r comands to take him, and would whereever I found him, that he should make noe place a protection ag^t the Govern^r comands, and that I would not be baffled, and indeed was not well pleased to be so dealt wth all between Capt. Morris & Mr. Blayton. After many words I was p^suaded at laste to promise Capt. Morris that Blayton should remaine aboarde him as my prisoner, he giveing me receipt for him, in order to w^{ch} he promised to be on boarde ye next day and when I came to give me such receipt; the next day comes, I goe aboarde, there finde Mr. Blayton & Mr. Mings, but Capt. Morris not there. I inquire where he was, am answered by the mate he was gone ashore, but would be there p^sently. I stayed wth out soe much as discourse halfe an houre, then told Mr. Blayton he knew my business, I had the Govern^r comands to seiz him. He told me he knew I had, prayed me to stay awhile, Capt. Morris would be on boarde p^sently. I told him I could stay but a little while, I had business. that I must doe that night; that I had promised Capt. Morris that he should remaine on boarde a prisoner, on receipt of him & that if the mate would give noe receipt for him then I told Mr. Blayton he must expect to goe along wth me; the mate answered he would not let him goe out of the ship unless the master was there. Wth that I rose up in some passion, and wth my hand on Blayton his shoulder that by virtue of the Govern^r warrant, I seized him in his ma^u name my prisoner, and demanded his papers, and to see what he had in his pockets; he readily pulls out his papers, delivers them to me, but first desires to see my warrant, and did soe, then I would have him from aborde, but he, Mr. Mings and the mate prayes me not to be soe passionate, that I had mistaken the mate, and that the mate would give a receipt for him, and

prayed me to stay a little. I did, the time loytered, at last the receipt was writ, and the mate called to signe, and then he was off again and would not signe the receipt; then I told Mr. Blayton if I could not have a receipt I must have him; the mate made answeare & swore but I should not; then (I must confess) in a passion, I clapt my thumb on the cock of my pistel (but did not cock it) & vowed I would have him. The mate riseth up, Blayton gets behind him, many words past, and then the mate would give receipt wth many excuses. Well, the receipt is againe writeing, and then comes Capt. Morris, to whome I give a shorte acc^t and desire to know if he will give such receipt as I shall think fit. He sayth he will, and doeth. Blayton desires his papers, I tell him noe. His pocket booke was acc^t of his estate wth I am to take acc^t off, his other papers were his confession of his treason & rebellion. He desires a petition (he had prepared for the Govern^r) and has it; that night after I had seized Joanes estate, and left one to Inventory it. In the night I went over the river to Martin Brandon that soe I might surpriz Wheeler. When I came into the Neck at one Sharpes, to inquire the way to Wheelers, followes me immediately into the house a yong man, who I had observed wth Blayton aboard the ship that day. He inquires the way for Mr. Blayton's. I begin to suspect Blayton had by him sent some message to his wife, wth I founde true after some discourse, for he produceth me a note from Mr. Blayton to his wife, that whatever she did she should hyde all the papers from me, as the note will make appeare. I march away in the night to Wheeler's, hoping to finde him at home, but miss; set sentinells that noe intellegence goe out, the next morning keep sentinells, &c., Guard there; take one Mr. Field & two solj^{rs} more, goe to Mr. Blayton's, there wth all the civillity might be, told Mrs. Blayton my business, put the broad arrow on the dwelling house, praye her to give an Inventory of the estate to Mr. Field, wth she promised, and did. I did not staye a quarter of an houre, but raised men and sought after Wheeler. Field Inventorys the Estate, as he gave him, noteth on the marg^t of the Inventory who those goods are (said by her) to belong—passing by the house he calls to me, tells me the soldj^{rs} would desire a paire of shoes & stockings, I bid that they have them & that they be noted downe in the In-

ventory: to sume up this tedious tale, tooke what powder and shot was there, & armes both for horse and foote, & papers unlooked over & brought away wth us, the other whole estate left in the house wth Mrs. Blayton. Some Keyes were brought away all wth is returned and this is the plundering & strange usage Mr. Blayton hath suffered, twould doe well to make a noyse in England to his imployers, when in truth he hath not lost one brass farthing nor the worth of it. As to Joanes that is s^d to be *strangely* used by my officer, I know they meane Capt. Levey, that tooke him by Coll^o Bridger's order, I am sure can answeare for what he hath done. And indeed how precisely just would they be dealt wth all, and how would they make the least slip highly repugnant, & derogatory to his sacred Ma^{ty} moste gracious proclamation of pardon, never considering their owne crimes, & how repugnant they were to all loyalty, Christainity, and humanity, as if his Majestye intended to forgive his rebells their great crimes, and have his loyall subjects called to a severe acc^t for the least slip they have made amiss in Executing the Govern^r Comands although to the best of their understanding, wth I doe most humbly leave to yo^r houn^r wisdomes, &c.

(TO BE CONCLUDED.)

SOME COLONIAL LETTERS.

[The originals of these letters are preserved among the Ludwell MSS., now in possession of the Virginia Historical Society. The Philip Ludwell to whom they are addressed was the second of that name. See *Virginia Historical Magazine*, Vol. I, p. 178.]

London, the 3rd July, 1717.

Dear Sir:

I had the honour to write to you very lately, but several things having occurred since, create you this new trouble. I don't know what steps the Leiut: Governor may have made on that side towards Peace: but by his letters, and particularly by

one which he wrote to Lord Orkney,* he can have no great disposition to it. This letter consists of about 3 large sheets of Paper written close in Robertson's hand on every side. Half of this Epistle is fill^d up with the bitterest accusations of his Enemy's (which he explains to be you & me only) and the other half is stufft out with his own Commendations. His Lord'p was so good as to read most of this Piece to me, and I can say that he is as exorbitant in doing himself too much honour as he is in doing us too much wrong. In his elegant account of us he is pleased to say, amongst abundance of other kind things, that we have done him more injury than we can repair, if we obtained the whole Government of Virginia to be settled upon him during his whole life. For that we wrote over malicious and treacherous letters to his late Brother, in which we insinuated so many black things against him that in pure resentment he resolved to marry and get a son, by which he has been disappointed of a vast inheritance. This he says without the incertainty of ifs and peradventures, as if the thing had been proved to him under our own hands. Now as far as this concerns me, I take the God of truth to witness that I never did directly nor indirectly write one Syllable to his Brother in my whole life. So far was I from doing that, that I took myself to be very much in favour when his Brother marry^d and whenever I made mention of him in my letters it was to his advantage. And if I had been Inobliged at that time, I should have abhorr^d so villanous a piece of treachery, as much as he would do that accuses me of it. Nay, I can't forbear thinking that to accuse a man falsely of such a Crime is as heinous as to submit to it. * * *

The 2nd accusation against us is, that we sent those Articles to the Council of Trade, which were without a name, whereas as I hope for mercy I never see em til Col. Blackiston shewed me a copy of them. And I can discern plainly both by the style and by the indiscreet way of transmitting them that you had no hand in it. However the Enemy is very peremptory in fixing them upon us, which is a farther demonstration of his great justice. In that he vouchsafes to lay to our charge every

* Alexander Spotswood was appointed Lieutenant-Governor to George Hamilton, Earl of Orkney, the Governor and commander-in-chief.

bad thing that ever befell him since his coming to the Government, and that so positively that one might think at this distance, that he had unquestionable evidence for every article. Nay, my Lord Orkney is almost persuaded by the point blank of the impeachment that every part of it is true, I begged of his Lord'ship to suspend his beliefs of such dreadful articles til some proofs could be made of them, especially since he very well knew how they were drawn up by an adversary. I pleaded from our accusers own words that he could not possibly believe we had done him so many and such vile injuries, because he says in another place that his arraighing us for the many misfeazances in our several offices and not out of any resentment or displeasure he had conceived against us, but purely out of a conscientious discharge of his duty to his Sovereign. Now if he really believed we had used him so infamously, he must have conceived resentment ag. us, and then those publique accusations would have been inspected to proceed in a good measure from thence. Many other are the misdemeanors which he is please to lay to o. Cha. which are equally true with the former. Then for the Panegyrick which he makes upon himself it is beyond that of Pliny upon Trajan. By his account he is without fault and master of every perfection; Particularly he pronounces himself free from all Resentment for which he makes an appeal to every body that knows him. How blind is vanity so at least how unwilling to confess what it do's see to the disadvantage of one's darling self. * * * * *

I find the Preliminary Article of the Peace hath not been agreed to by the Enemy, so that I must wait your farther directions how to proceed. Randolph and Averilla are both arrived, but I have as yet not one syllable from you by either of 'em so that I am in the dark what steps were made during the general court towards a more complete reconciliation. I understand by others that the Governor has drop't the suit against you, notwithstanding he wrote my Lord Orkney word that you had stated the case partially, and therefore no heed was to be given to any lawyers opinion thereupon. I am told that you & your family were to wait on the Leuit: Governor on the King's Birth-night, from whence I infer that you're in a way to be good friends. But whatever grace you may find it seems I am not like to come

off so, but am threaten' with new accusations. What they may be I'm at a great loss to know, but shou'd be glad to have 'em come while I'm upon the Place to answer for myself. Something that has fallen out here will not contribute much towards my returning into favour. For I have had a hand in procuring the Solicitor Gene^l opinion, and the Council of Trade's report in prejudice of the 2 Laws. This will never be forgiven, but I would venture any resentment rather than suffer that Country to grone under such hardships as it does by that means. I understand that Mr. Cary & Mr. Kenedy have petitioned to be heard by Council against the Report of the Council of Trade. What any advocate can say in defense of such unrighteous Laws I know not, but as long as we can prove 'em to be against Acts of Parliament, the King's Prerogative, and the Royal Instructions, we are in no great danger of getting them disallowed. However this step in Mr. Kenedy will discover the true business he was sent upon, and shew how they were deceived in the frivolous Errand y' was pretended.

* * * * *

I am, Dear Sir, Your

W. BYRD.

To Hon. Philip Ludwell, Esq., Greenspring in Virginia.

London, the 28th of October, 1717.

Dear Sir:

By Capt. Whitaire I have writ you an account, How far I had proceeded in the affair of the Oyer and Terminer Court, and I did enclose in that letter the memorial which I presented to the Council of Trade upon that chapter; and that Commander promised to deliver all to you with his own hand, to prevent all foul play. Their Lord^{sh} proposed to make an end of it before now: But I can't learn they have made any other step therein, but only deliver'd the Council's letter with my memorial to Mr. Molesworth [one of their number] who when he has duely consider'd them as also the letters which they have lately received from the Leiut: Governor upon the same subject, he will make his Report, and something will be concluded thereupon by the Board. I have entreated him to make all the convenient Dispatch he may

wth he has promised he will. I met with a very unexpected Rubb from an odd opinion of some of their Lord^{sh} which I think I have overcome, namely that they don't think it their business to consider any Representation concerning the Plantations, except it be transmitted to the Respective agents, and deliver^d by them. Now I own this Rule is very usefull to save them abundance of trouble: but may be very pernicious to the Plantations, especially to Virginia, that has no agent except Col. Blakeston who is in truth the Lieut: Governor's Solicitor, and not the Country's for he will act nothing in the world in prejudice of the Governor, tho' he do anything never so injurious to the country. I answered in general, that this would be making the Governours absolute, because they would never hear any story but his: but in particular as to this case, I thought I had a Right as I had the honour to be one of the Council, to appear in behalf of my self and the rest of my Brethren against any Innovation that might be introduced to their prejudice. They at last agreed, that in this case I might appear, but without departing from their General Rule. Thus you see how necessary it will be for the Country to have an agent residing here, or else I don't understand how their wrongs will ever be righted. I shall write again very soon, when I hope I shall give you a fuller account of my Stewardship. In the mean while I am, Dear Sir, your most obedient humble servant,

W. BYRD.

To the Hon: Philip Ludwell, Esq: at Green Spring in Virginia.

Brenton, 4 January, 1723 $\frac{3}{4}$.

My honoured Kinsman:

I am very much obliged to you for ye good account you gave me of ye happiness and prosperous condition of that part of my relations in Virginia. I pray God to increase his blessings upon them that they may abound in all ye good and Luxury of this life and that which is to come. I thank God ye most part of us have come in a good way, but my oldest Kinsman, Robert Ludwell, has made a Breach amongst us by marry-

ing a young wench of no fortune or Reputation, insomuch that tho' I used all the persuading I could think of to hinder it and requested all my friends to do the same, yet he went perversly on and concluded it on purpose to affront me. This gave me some uneasiness at first, but to show him I would not bear it, I altered my Will and have seized an Estate of 2000 lbs. value in his younger brother John Ludwell, who married into an hon^{ble} family and lives hansomely. Capt. Williams of Bristol came hither last spring and saw by accident a young girl of my youngest * * I have brought up and told Capt. Fry he was certain she was of kin to the Ludwells, she being so well like y' daughter Miss Hannah, upon which I often call her by the same name. Her mother has 8 more of them and I saw all ye 9 at dinner with her this Christmas time, I thank God it goes on very cheerfully among them and shall not want my assistance. We drank the tokay merrily when Capt. Williams was here, & I have put on 5 mourning Rings in memory of y' good father.

I have rec'd the 2 Hh'ds of Tobacco you were so kind as to send me and thought my kinsman R. L. should have gotten money by them, But upon this Rupture between us he refused to undertake the doing of it, so I desired my friend Capt. Whitehurst to sell them for me, in Bristol, where the Comoditie at present is very low, and then tho' one of them he stript yielded but * * * and ye opening to be paid in 3 months, the charges of bringing them over, ye cost in ye country, &c., will bring me about 40 * in pocket. But in this we must be beholding to our Godly neighbors Scotland, who pay less duty and consequently undersell us. I do not write this to complain of ye hard bargain, for I shall take care to send you ye balance in such goods as you direct me to buy at Bristol Fair the 25th instant, having no hopes of procuring you such security as you want, that being a thing not possible here, and I am afraid to be concerned in it, less I should be accounted a Kidnapper. Not but here are enough gardeners and other workmen to spare, but they will live meanly and send their families to ye Parish to be * * rather than hear of such a long journey to mend their condition.

* * * * *
When the goods are bought they shall be sent by ye next

ship bound for York River with an account of them, which I hope may go as ye had come hither.

Be pleased to give my humble service to y^r Lady & Family and to all my other Relations in y^r part of ye world & to believe me to be

Honoured Sir
Y^r most humble Servant & Kinsman
TH. LUDWELL.

To Hon. Philip Ludwell,
at Green Spring in Virginia.

Currotoman, July 23rd, 1726.

Hon^{ble} S^r:

Y^r very surprizing news reached me just now. I dare say you know me so well to believe y^r I am very tenderly affected with the loss of so good a Governor when we were all in hopes of his getting well; at least y^r report was so with us and that was ye occasion of his stay.

The Post y^r I am now to act in is so far from being gratefull to me that nothing less than absolute necessity will draw me to it.*

The Carter now lies before my Door her business done, ready to depart. My Letters unfinished, my Bills of Loading not taken, those things must be settled before I can leave my home. It will be impossible for me to get to town before Thursday or Fryday next & the inconveniences of delaying the Funeral may be so great y^r I do not think it proper for me to direct such a thing, therefore let Mr. Holloway & Dr. Blair know y^r it is my desire the Funeral be performed on ye appointed time & beg you will make my excuses where they are necessary; I know ye inconveniences y^r may attend ye Council by there being at ye Funeral and afterwards waiting for my coming to Town, but 'tis impossible for me to keep it. Ye ship will not stay. Col. Page

* Hugh Drysdale died July 22, 1726, the day preceding the writing of this letter. Colonel Jennings being suspended, Robert Carter, President of the Council, assumed the administration of the government. He was succeeded by William Gooch in the following year.

comes to my house to-day from Mr. Wormeleys; Col. Robinson, his Lady [died] on Thursday last at night. Mr. Grymes is ye only person that is likely to be at ye Funeral. My Boat is going to Rosegill forthwith, I shall give these three gentlemen notice. I order ye Messenger to call upon Col. Beverley & Col. Digges and let them know ye Funeral is to be on Tuesday. Col. Beverley is so crazy tis not likely he will be at ye Funeral, altho' if he is, he is at home. Col. Byrd & my son will be ye only suffering persons y' way by my delay, whose goodness I must rely upon to forgive it. I alwais am S'

Your most obedient Humblest Serv^t,

ROBERT CARTER.

To Philip Ludwell.

Dear Sir:

You have by Charles, some cherry trees, 6 doz. Town Sider, w^{ch} if you will allow it to settle will prove good, a small cheese for the good Lady, its Hobson's choice, the Tallow from West & Crowder & what trees from Wests are good for any thing; Denny's are ruined by the Hares. I don't know what to do about hoes for ye people. I will muster up what Iron I can & get them made for the smallest sum of money I can, but I shall certainly ruin you (as you say), but if y' people want hoes in time, I'me sure you are to expect no corn from these. Its but no doubt you may make enough by you.

I am very much oblig'd to you for y' care of me in Rum, w^{ch} answers y' Charicter exactly, but I think that its the greatest shame that the Devil should be the least concern'd in that affair, tho he paid his money down. I won't spare him above an anchor, w^{ch} is too good for his Diabolical throat. My wine came very safe only one Bottle, but they were one doz. short. Y'r colts have not been gentled any, so that Charles can't lead them up & if you think convenient they had better to be kept here until next fall.

Gully has drawn on you payable to Capt. Eustace for forty Shillings; pray Signifie if I am to pay it. Some times you are so very busie that I can hardly read some of y' letters w^{ch} makes me very merry. I shall write you in a little time again and then

I hope to Salute you with the safe arrival of the Carter, Capt. Dare, who I expect dayly. Our best respects attend you, y'r good Lady & fireside.

Dear Sir, Your very affect hum^{ble} serv',

RD. LEE.

To Philip Ludwell.

March 7th, 1734-5.

Williamsburg, March 3d, 1735.

Dear Sir:

I find you are still a passionate man. But you know I am otherwise, therefore I will make a cool Apology for not returning a written answer to the Letter you Fancie I throwd among my useless papers. For I don't know that I rec'd more than one Letter. You directed me to concert my measures with the Secretary about the Division of your Lands, and to move the General Court for an order for the Division. I told him that was impracticable, there being so many persons and many of them Infants concerned; and desired him to tell you so, and to send me directions for bringing a Suit in Chancery, which is the regular method for obtaining what you desire. He told me he had talked with you upon it and I thought that might have been taken for a sufficient answer. But for the future whenever you honor [me] with your letters I shall be very punctual in returning written answers. And as an Instance of my Diligence I write this the Same moment I rec'd your Letter, to assure you that you may always command my assistance in the defence of your just rights, For when you are in a cool temper, no body is more at your service, than

Yo^r most obedient Servant

JOHN RANDOLPH.*

To Landon Carter at his home in Richmond [county].

* This was the Attorney General of Virginia. For details of his life, see *Virginia Historical Magazine*, Vol. III, pp. 265-8.

London, November 8, 1760.

The 25th of July last I Saluted my Dear Mr. Jones and by his Favour of ye 18th I had the Pleasure to find that I was no less in his thoughts at the same Time. People are sadly prone to pervert one's words as well as one's Deeds, or else they would never so willfully have mistook what I said about my goods which was only that if they were all taken off at once by ye Invoice unopened and remittance directly made, should desire no more than the first cost.

Your Tenderness suppressed ye Particulars of Mr. Rowe's abuse, which I should be glad to know, Not as an encentive to Resentment, but as a cautionary Information. Resentment, God knows, I truly endeavour to divest myself of. It is a troublesome Inmate and a treacherous counsellour. But an higher consideration is, that it is made the condition of our own Remission Sicut et nos remittimus Debitoribus Nostris.

I hear many disagreeable things from Virginia, as the Battle of the Scholars, the Regiments laying down their arms, &c., but none with more concern than that the Com[missar]y was presented by the Grand Jury for drunkenness. How sad a wound does Religion receive like Cæsar from those who by all Tyes are bound to be her best friends and supporters.

I am much obliged to you for your kind Intelligence about my affairs. I hope I shall find my confidence well placed in Cary, whose Honesty I allways had a great opinion of. I hope he will have your friendly advice and assistance. And I am extremely thankfull to you for that you have already given him on my acc't.

How many Bucks have you slain? or do you choose rather to sport among the Does? I hope you have made sure of one Virginis os habitum que gerens qua pulchra faciat Prole Parentem,

I wish you * * * * that this shortened your Letter * * have asked pardon with such a formal countenance for "The Trouble you gave and the Freedom you took in writing so long an Epistle." But perhaps it was a hint to me not to be too tedious as old Fellows are very apt to be & you might justly fear I should from ye great Pleasure I have in your Company, which writing to you is a kind of enjoyment of.

Well, a word to y'r wife is enough: and so let you see that I would willingly be thought to deserve the Proverb. I most respectfully withdraw with a thousand Apologies for the great Trouble I have given you by such a long Intrusion. However, I can not do it before I have heartily sent answer to your kind prayer that we may meet again in Happyness at Green Spring. I am, Dear Sir,

Your affect. Friend and humble Servant,

PHI. LUDWELL.

P. S.—Tho' I could not with any Decency go on with my Letter I might after the example of many great writers run on in the Post Script as long as I would. However I rather choose to present you with the news Papers themselves than copy them. You will see by them what is too serious a subject of mourning to be fond of transcribing.

Pray present mine and the young Ladies perticular compliments to Mr. Allen & his good Lady who I hope are now blessed with a fine son and Heir. I will send your seeds by y'r next ship. I have not yet rec'd one from a country seedsman recommended to me by my friend ye famous Miller. There is no depending on what is sold in and about Town. It will be ye greatest pleasure in ye world to me to serve you.

[TO BE CONTINUED.]

DECISIONS OF VIRGINIA GENERAL COURT, 1626-1628.

[Robinson Transcripts, Virginia Historical Society MSS. Collections.]

A Court at James City present the 9th Octob. 1626: S^r George Yeardley, Knt. Governor, &c; Captain Francis West, Dr. Pott, Capt. Smyth, Capt. Mathews, Mr. Claybourne, Capt. Tucker, & Mr. Ferrar.*

*This was William Farrar, of Henrico county, a member of the Council.

In no English family had the Colony of Virginia more true and con-

It is thought fit at this quarter Court that there shall bee noe

stant friends than in that of Ferrar or Farrar (the latter the form generally used in Virginia), of London. Nicholas Ferrar was descended from the Yorkshire Ferrars, and, it is said, was nearly related to Robert Ferrar, Bishop of St. David's, who suffered death for the Protestant religion, being burnt at the stake, March 30, 1555. He was born in 1546, was a prominent London merchant, a friend of many of the eminent men of the day, and at the time of his death (April, 1620) and for several years before, was a distinguished member of the Virginia Company. He married Mary Woodenoth, of an ancient Cheshire family, and had issue: I. Susannah, married Thomas Collett, Esq.; II. John, born 1590, Treasurer of the Virginia Company; throughout life took an active interest in the advancement of the Colony, corresponding, sending new varieties of seeds, &c., and other benefits. He married Bathsheba —, and died in September, 1657. His daughter, Virginia, prepared a map of the Colony, and was an encourager of silk culture here. She died January 17, 1687. III. Erasmus, born 1591; IV. Nicholas, born February 22, 1593, educated at Clare Hall, Cambridge. (His portrait, by Jansen, is in Magdalen College in that University). Studied at Leipsic and Padua, and travelled extensively; was a man of great talent and was chosen Treasurer of the Virginia Company, and, in 1624, a member of Parliament; but in the next year, with his mother, brother, sister, Mrs. Callett and her daughters, retired to Little Gidding, in Huntingdonshire, where he being ordained the same year, the family formed a kind of Protestant monastery, where some were always engaged in religious exercises, and all devoted themselves to piety and charity. This establishment attracted great note and was visited by the King, but during the civil wars received great damage from Puritan bigotry. A life of Nicholas Ferrar has been written by Peckard; V. Richard, born 1596; VI. William. It is stated, and there can hardly be a doubt, with truth, that he was Captain William Ferrar or Farrar, who came to Virginia in 1618 and settled in Henrico county; was a justice of Henrico and Charles City, a member of the Council from 1627 to 1633, and died in or before 1637, as there was in that year a grant of land to "Mr. William Farrar, son and heir of William Farrar of Henrico, deceased."

Captain William¹ Farrar had issue (as appears from the Henrico records): I. Colonel William,² justice of Henrico, Burgess 1662, 1663, 1666; married Mary —, and died about January 1677-8; II. Lieutenant-Colonel John,³ justice of Henrico 1677-84 (the extant records begin in 1677), sheriff 1683, Burgess 1680, 1682, 1684, and died unmarried about March, 1684-5.

Colonel William² and Mary (—) Farrar had issue: I. Major William,³ of Henrico, born 1657, died 1715; justice of Henrico 1685-1715, sheriff 1690, 1691, 1692, 1712, 1713; Burgess 1700, 1701, 1702. Married,

general restraint of people from going for England, but y^e such desire their passes shall repaire to the Court held weekly at James Citye.

first, Priscilla, daughter of William Baugh, Jr., and second, Mary, widow of William Lygon; II. Thomas,³ born 1665, married, 1686, Katherine, daughter of Richard Perrin; III. John,⁴ born 1670, married Temperance, widow of Thomas Batte, and daughter of John Brown; IV. Martha,³ married Walter Skiple; V. Cicely.³

William³ and Priscilla (Baugh) Farrar had issue: I. William,⁴ justice of Henrico 1719; II. Abel;⁴ III. Thomas,⁴ died in 1715, leaving a widow and perhaps children; IV. Priscilla.

Thomas³ and Katherine (Perrin) Farrar had issue: I. Perrin,⁴ a child in 1691; II. William;⁴ III. Thomas;⁴ IV. Martha.⁴

John³ and Temperance (Brown) Farrar had issue: I. John;⁴ II. Temperance;⁴ III. Mary.⁴

The descendants of the Farrars resided in Chesterfield, Goochland, and Louisa, and have since emigrated to various States.

John Sutton Farrar (probably the son of John and Temperance Farrar) married, first, Elizabeth, daughter of Robert Hancock, and had a daughter, Temperance; married, second, ———, and dying in 1731, left by second marriage a son, John Sutton Farrar, who married Susanna ———, and was alive 1771. Thomas Jefferson, of Henrico, in his will, dated 1731, names his daughter, Judith Farrar. It was from this Mrs. Judith Farrar that the names Peter Feild and Field, which have been in frequent use in the Farrar family, are derived. Abel Farrar, of Chesterfield, was a lieutenant of militia in service against the French and Indians in 1758. Joseph Royall, Jr., had a daughter, Mary, who married ——— Farrar. Field Farrar, of Chesterfield, was grandfather of the late Edwin Farrar, of Richmond, and ancestor of the family of the name in this city. Dr. Bernard Gaines Farrar, son of Joseph Royall Farrar, was born in Goochland county July 4, 1785, and was taken by his parents in that year to Kentucky. He settled at St. Louis, Missouri, in 1806, and became one of the most distinguished physicians of that State, and a surgeon in the war of 1812. He married and left issue.

Perrin, son of William and Sarah Farrar, removed from Dutch Gap, Henrico, to Goochland, and afterwards to Louisa county. He married Sarah Lacey, and died at the age of 60, leaving various children. His descendants reside in Louisa county, the States of Mississippi, &c.

The inventory of Colonel William Farrar, dated 1684, mentions "a drum with the arms of ye family painted on it." This doubtless was the drum of his regiment of militia.

A Court at James Cittye the 10th day of Octob. 1626, present: S^r George Yeardley, Gouvernor; Capt. West, Dr. Pott, Capt. Smyth, Capt. Mathews, Mr. Persey, Mr. Claybourne, Capt. Tucker & Mr. Farrar.

At this Court there was a weanoke Indian presented by Captaine Willim Epps wth was taken the last Springe at Sherley-hundred & hath since lived with him, & the Court hath ordered y^t Capt. Epps doe enter into bonds of 500^l of Tob^o to ye Court that ye said Indian shall not runne away; the wth bond to begin to take his force uppon the first arrival of Capt. Epps wth him at ye Eastern Shore: Moreover it is thought fitt, y^t Capt. Epps uppon his return to James Cittye wth he intended before ye feast of ye Nativity of ye Lord God, that then the said Capt. Epps bring the Indian along wth him to ye Governor to be employed uppon any service: And the Court doth give leave & grant y^t Capt. at his going for England ye next Spring, may carry the Indian wth him, otherwise to deliver him upp to ye Governor.

2. The Court was this day informed by Capt: Epps, y^t the Indians of the Eastean-Shoure had killed divers of the hoggs belonging to ye people there; & that hee had demanded Satisfaction of ye Indians for ye hoggs, wth they refused not, but assented to it and did offer to make Satisfaction in Corn, the Court therefore have referred this matter to the best discretion of Capt. Epps, y^t hee deale therein Soe as there may be Satisfaction made by them; And that hee doe give them to know y^t if hereafter they shall doe the like or in any such nature offer as offence, it will bee an occasion of the breach of the peace between us.

3. Whereas at this Court there was petition made & preferred by Richard Townshend, Servant to Mr. Dr. Pott, against his Master, complaining that hee cannot be taught the art of an apothecarye, for the lerninge of wth art and Misterye he was bound to ye said Dr. Pott by an indenture bearing date the 20th day of February, 1621, the Court hath here uppon ordered y^t Mr. Dr. Pott doe henceforth from time to time indeavor to teach and instruct the said Richard Townshend in the art of an apothecarye by all convenient wayes and meanes he can or may, that soe hee may prove at ye end of his Service a sufficient apothecarye, wth if hee ye said Dr. Pott shall neglect or refuse, the

Court hath ordered y^e hee shall pay for ye said Richard Townshend for his service from ye day of ye date hereof unto ye end & expiration thereof.

A Court at James Cittye the 11th day of Octob., 1626, p^rsent S^r George Yeardley, Kt., Governor, &c., Capt. West, Dr. Pott, Capt. Smyth, Capt. Matthews, Mr. Persey, Mr. Claybourne, Capt. Tucker, & Mr. Ferrar.

Whereas it appeareth to ye Court y^e one Henry Carman, late Servant to Mr. Samuells Sharpe and one of the number of those 500 boyes, wth were by our late dread soveraigne King James comanded to be sent over hither, and arrived here in ye Pylve 1619: the condition of whose service was appointed to bee for 7 years at first to their Masters to whom they were first put to, & further y^e if during the time they should comitt any great malifice, as whoredome, theft, perjury, drawing of blood and such like, that then from y^e time, toties quoties the time of their service to begin againe for 7 years: Now Whereas it appeareth to ye Court y^e ye said Henry Carman hath comitted fornication wth one Alice Chambers, Servant to Mr. Abraham Persey, and gotten her wth child, the Court hath here uppon ordered that the said Henry Carman shall anew begin his service of 7 years to the use of Mr. Samuells Sharpe from the time of his said will, fact and offence comitted. Moreover seing y^e ye said Mr. Sharpe is now absent out of ye Country it is thought fitt y^e ye said Henry Carman remaine and continue in ye service of Mr. Will^m Ferrar wth whom he was left to ye use and benefitt of ye said Mr. Sharpe.

2. It is ordered y^e there bee a warrant sent upp speedily for Alice Chambers, Servant to Mr. Abraham Persey y^e for her above named offence of whoredome, shee may appeare here at Court and receive worthy punishm^t for the same.

A Court at James Cittye the 12th day of Octob., 1626, pr^rsent S^r George Yeardley, Knt., Governor, &c., Dr. Pott, Capt: Smyth, Capt: Mathewes, Mr. Persey, Mr. Claybourne, Capt: Tucker, and Mr. Ferrar.

4. It is ordered, for ye severall offences aforenamed of ye said Margaret Jones, y^e Shee bee toughed or dragged at a boat's

Sterne in ye River from ye shoare unto the Margaret & John and thence unto ye Shoare againe.

5. In ye presence of ye Court one Robert Hutchinson having been formerly punished for adultery with Margaret Jones by ye Governor, Counsell said in ye open Court wth over repetitions & wth a loud voice, My conscience telleth me I have been wrongfully punished: Hereuppon ye Court for ye insolent and uncivill behaviour of ye said Hutchinson, doe adjudge and condemne him in ye forfeiture of fortye pounds in ye wth hee standeth already bound to ye Governor uppon his good behavior, and it is furthered ordered y^t ye said Hutchinson doe againe enter into bond of three hundred pounds waight of Tobacco unto ye Governor for his good behaviour and more especially in his carriage of himself concerninge ye said Margaret Jones.

A Court at James Citty the 15th day of Octob., 1626, present:
S^r George Yeardley, Knt., Governor, &c., Capt. West,
Dr. Pott, Capt. Smyth, Capt: Matthewes, Mr. Persey, Mr.
Claybourne, Capt. Tucker, and Mr. Ferrar.

3. It is ordered according to an acte of a late generall Assembly y^t all dwelling houses through the Collony be palizadoed or paled about, defensible against ye Indians, to be done & finished before ye first day of May next, and for such as shall bee hereby constrained to bestowe their labour on other men's grounds having but one yeare's time to stay on ye land, it is hereby provided that they shall have satisfaction by ye owners thereof: and in default hereof it is ordered y^t such as shall neglect ye making of ye like palisado shall forfeite one hundred waight of Tobacco to publique uses & shall then doe it wthin 6 months next after or else forfeite over & above the said one hundred, two hundred waight more. And for such as doe inhabite uppon Necks of land y^t may wth lesse labour & charge be taken in, & prove as defensible for ye plantation, it is thought fitt y^t ye Commander of every such plantation doe require all ye inhabitants joyntly to afford their labours in performing & finishing of the Worke, and if any shall in this kind refuse to joyne & give their worke herein it is ordered y^t ye Commander doe hire or wage some other man to worke in his rome & hee to pay the charge. But if ye plantation in general shall neglect this thing hereby imposed uppon

them then they shall forfeite one hundred waight of Tobacco p. pol.

4. The Court at this time upon ye demonstration of Mr. Abraham Persey y' ye aforesaid order would prove very heavye and burthensome unto him at Perseye's hundred, is content, in regard he hath many houses allreadye paied & palizadoed in and that all ye whole necke is well railed in & that hee hath 10 or 12 pieces of ordinance well mounted & planted for ye defence of ye place, y' hee doe pale or palizadoe in such other houses as are not yet secured from ye Indians, as hee in his discretion shall thinke fitt.

5. It is at this Court ordered y' in such places where cattle are kept, as hogg Island, James City Island, the neck of land and other places, y' there the inhabitants for ye lessening or shortening of their workes in securing of their corne, shall not soe raile or fence by advantage of creeks and necks, as ye cattle be thereby cut off fro' a great part of ye feed y' they might have, but doe in such sort raile, paile or fence their ground as the pasture and feed of the cattle bee not taken from them, in which case if any shall offend, his Fence shal be pulled downe, and the losse ensuing thereby fall upon himselfe.

7. In regard y' there are many inconveniences appeare likely to happen if ye former order of having chosen merchants, by whose hands the comodities brought in might be into ye hands of the whole Collonye it is now by this court ordered y' all shippes & vessells whatsoever doe immediately after their first arrivall wth all convenient speed come upp to James Citty, unlesse it be otherwise thought fitt by ye Governor & Counsell, & not to breake bulk nor make sale of any goods whatsoever before their arrivall there, and shall then deliver up an Invoice of their goods upon oath if it shall be thought fitt, and then to bring their goods and comodities ashoare and not to sell anything within ten dayes, y' soe all ye Collonye may have notice of the same, & may either come or send every man to supplye himself for his own use or ye use of his familye. And noe man may be suffered to ingrosse comodities or forestall the markets and y' none shall sell any comodities at dearer rates than they bought ye same, uppon penaltye of forfeiture of ye said comodities & pay 500^l of Tobo as often as they shall soe offend. And further

it is ordered y' no man except such as are of ye Counsell & such as are authorized thereunto by warrant doe at any time goe aboard of any shipp or shippes whatsoever either uppon their arrivall or afterward without warrant under ye Governo' hand uppon forfeiture of 30^l of Tobacco for every such offence nor to buy any goods whatsoever aboard of any shippes but y' all buying and selling bee made and agreed on shoare uppon forfeiture of such goods & 500^l Tobacco.

9. It is ordered y' publication shall be sent to all plantations y' as soon as may bee after the Death of any man there be an Inventorye taken of all his estate and goods whatsoever, and y' such wills & testaments as shall be made bee proved as soon as may be, and that it be not deferred beyond ye next Quarter Court at ye farthest, uppon penaltye of censure of ye Governor and Counsell as in a matter of y' divers times may prove of great inconvenience as hath been apparent by many examples: and it is farther ordered y' all such as have not hither to proved any wills or neglected to deliver doe forthwith prove the said wills, and deliver in ye Inventorys of ye goods of persons deceased wth in one yeare last past at or before ye next Quarter-Court held at James, uppon ye penaltye aforesaid.

10. It is ordered at this Court y' all sales of lands and deeds of guift of ——— made and agreed on betweene partyes and partye wthin this Collonye be brought into ye Court at James-Citty and there recorded and inrolled wthin one yeare and a day next after ye date thereof.

A Court at James Citty the 18th day of Decemb., 1626, p'sent:
S^r George Yeardley, Knt., Governor, &c., Capt. Smyth,
Mr. Persey, and Mr. Claybourne.

2. Whereas there is order given and published that noe ship shall breake bulke before their arrival at James Citty, yet notwithstanding seinge that by mis accident the Marmaduke is now come aground below Mulburye Island, it is thought fitt by ye Court and leave given to the Merchants and Such others as have goods in the said shipp to litten and unlode such a part and quantity of ye said goods as may be sufficient for to free ye said shipp and make her afloate provided that the said goods be

brought upp to James Citty & noe indirect bargains and sales made contrary to the said order.

THE QUARTER COURT.

A Court at James Citty the 8th of January, 1626, present: S^r George Yeardley, Knt., Governor, &c., Capt. West, Capt. Smyth, Mr. Claybourne, Capt. Tucker, Mr. Persey, Mr. Ferrar.

It is ordered that whereas Thomas Gates hath been drunk and misbehaved himself wth much disorder that ye said Thomas Gates shall pay for a five twenty weight of Tobacco and give in bond wth security of his good behaviour and appearance at the next Quarter Court.

The Court at James Citty the 9th of February, 1626, being present: S^r George Yeardley, Knt., Governor, &c., Capt. Smyth, Mr. Persey, Capt. Matthews, Mr. Claybourne, Capt. Tucker, and Mr. Ferrar.

Upon the petition of Mr. Edward Waters, the Court hath given leave unto him to seate himself and plant upon the Strawberry Bankes wthin ye Circuit of ye companyes land laid out at Elizabeth Citty and hath graunted him a lease of 50 acres of land there for ye terme of ten yeares next ensueing after ye Feast of St. Thomas ye Apostle last past and to take along ye bank of ye river 50 pole for ye said fifty acres yielding & paying for ye same yearly fifty weight of Tob^o. Upon ye Petitions of Richard Bridgwater, John Osborne, John Milnehouse, Robert Hutchinson, Lan: Smallpage and Joseph Hatfield and ye rest of ye Inhabitants of Pasbehayes wherein they complaine exceedingly concerning the barrennes of ye ground whereon they plant, the badnes of their utterly decayed houses and their small strength and ability to hold and defend ye same place the court hath condiscended and given leave unto them as being free meⁿ to remove from ye said land of Pasbehayes and leave that place voide.

(TO BE CONTINUED.)

LETTERS OF WILLIAM FITZHUGH.

April 25th, 1691.

Mr. John Cooper:

S^r yours of Dec^r date last I received by Capt. Gutteridge, & therein inclosed your letter of Procuration about Coll^o Pye and his Acc^t Currant, at the receipt whereof he happened to be at my house. I then shewed him his acc^t Currant & the power I had which he seemed not then to be displeased with, but objected there was not altogether so much due & that he had sent you bills of exchange drawn upon Mr. Samuel Groome, for your full ballance by the last shipping to which I returned answer, that let him tell me what he said was his just due and his bills for upon said Groome, & I would take such bills of him with letter of advice and pay, if not already paid; the debt he said was thirty odd pound, but could not remember the particular sum which he has promised me faithfully to perform, & for the remainder of the ballance we have agreed to leave that open till we hear from you next year and that you by your Acc^t clear the same, upon which he has promised payment of that also. Thus S^r I have acted for you as for myself esteeming it better to get the better three parts of four & leave the quarter disputable, than clash for the whole and endanger all. Sir, I received the inclosed bill of loading with the things therein mentioned, though I must tell you part of the things were damnified, the coarser sort of Drapes extreamly coarse, and the finer sort not very fine, I could have wished both sorts a little finer, for when I send for goods I would have a medium used, neither too fine nor too coarse. I have by this ship the "John & Margaret" Capt. Philips Commander consigned you four hh^d sweet scented Tob^o which please to dispose for my best advantage. I heartily thank your care for endeavouring to take me freight you may see, & now I hope to get else where. I approve of your payment of £10 to my mother last year and desire you to do the same this & by the first conveniency to send me my Acc^t Curr^t. Inclosed have sent you a bill of exchange for £4. 9. 7. drawn upon Jno. Marsh and Robert

Ruddle, which if you have not already receive, please to receive, for in my last by the Ship Hopefull of Nov' date I sent a former of those bills, which perhaps may be come safe to hand before this. In my next perhaps may be capable of consigning you some Tob^o and remitting you more bills, till when I shall conclude myself.

S^r Your Wff.

To Mr. Jno. Cooper.

April 25, 1692.

Mr. Jno. Taylor:

This comes for a Cover for a bill of Loading for six hh⁴ sweet scented Tob^o by the advice & perswasion of your good friend and mine Mr. Samuel Chue who will satisfie as to the sort and goodness of the Tob^o, he having before approved the same, and to whom for that part I refer. Also in the same bill loading you will find our small cask clear of freight, which with the six hh⁴ I am well assured you will dispose to my best & most advantage. Please to give my humble service to your honoured father and acquaint him that the last I spoke with Esq^r Wormley about his debt, he assured me he would take effectuall care with himself to satisfie him; which I hope has done. I am Sir

Your Wff.

To Mr. John Taylor.

April 25th, 1692.

Mr. Samuel Chue:

Honoured friend. Upon second thoughts I have thought convenient to treble two hh⁴ promised by making them six Consigned to Mr. John Taylor, to whom I hope & am well assured that according to your promise you will give it a due Commend, for what I value is the future estimation and expectation not the present profit & am confident will answer the Character you know best to give thereof. I have also farther enlarged my first promise by four hh⁴ more consigned to Mr. John Cooper which are all now in the Sloop. The six consigned to Mr. Jno. Taylor are thus marked and No. (viz) WF No. A, WF No. 1, 2, 3, 4, 5, & a little barrell WF No. o, which the mate promised me

freight free. The four consigned to Jno. Cooper are marked and numbered (viz) 6, 7, 8, & 9. I have been thus particular because you might not mistake in the bills of Loading. Please S^r by the first conveniency to send me two bills loading of each and inclose one of each sort into Mr. Taylor's. Mr. Cooper's letters and John Taylor's have sent open for your perusal, that you might pursue your promised methods accordingly which I know you'll inclose & seal up. S^r according to your desire shall write effectually to our Collector for clearing your dues here, I hope to see you e'er long and then shall make you full Satisfaction for some goods I had of the Mate and shall have full opportunity to assure you I am

Sir Your Wff.

June 21st, 1692.

Mr. Cornelius Sergeant:

S^r. Hearing so fair a character of your honest and punctual dealing by Capt. John Moore Commander of the good Ship the Assurance of Bristol, in which you are a considerable owner both of ship and cargo and withall considering your present trade of a Tobacconist, I have sent you three hh^d sweet scented Tob^o all ready stemmed and fit cutting without any manner of loss or trouble. I suppose you will presently understand the goodness of your Tob^o by your taste and the method of trade you are now in, also Capt. William Jones & Capt. Robert Hooke two of your own Country masters can inform you of the goodness & esteem of the sweet scented Tob^o made upon my plantation in former times in Bristol, they having purchased some thereof from me, I desire you S^r to sell the same for my most advantage & make me return thereof by the first ship bound out of your parts for Potomack River in Virginia with bills of Loading to be delivered at my landing (viz) in Kersey's, Cottons and Bedminsters Cottons, Coarse canvass, Iron ware and shoes, thread and silk, also a hundred of Gloucestershire cheese and what else you think convenient for this Country's use, so expecting to hear from you by the first opportunity I rest. I would have you also send if you could with conveniency and early send me in four spinning wheels to spin flax with. I would have them East Country wheels.

June 15th, 1693.

Capt. Robert Edgecomb:

S^r I have by your own ship consigned you one hhd. of sweet scented Tob^o and one small barrell stemed, upon freight as you'll see by bill of Loading, wth I would desire you to dispose to my best advantage & send or bring me in the effects in coarse goods, (viz) Kerseys, Cotton, blue linen, nails and shoes for the product. I have only to caution you, that perhaps neither the Tob^o may answer your expectation in a generall market in your Port, because there they may not generally be used to such Tob^o but if I might advise I believe it would be the best way to take some out of the small barrell & make a present to some considerable Gentleman your friend which I am confident would give the whole parcell a good and profitable market. However leave the thing wholly to your own discretion. I have no more at present to add, but to wish you a prosperous voyage, and if it be for your advantage a good return here again where you will be most acceptably welcome to

S^r your Wff.

To Capt. Robert Edgcomb at Plimouth.

July 18th, 1692.

Mr. John Taylor:

S^r. By this Ship that this goes in the John & Margaret Capt. Phillips Commander I formerly sent your letter with bill of Loading for six hh^{ds} sweet scented Tob^o and a small barrell freight free, as by the letter and bill of Loading you may fully see, I second this by the same ship with the same Tob^o (which I suppose Mr. Sam^l Chue has given you a full account of) as by the inclosed bill of Loading for two hh^{ds} you will see, which also I would have you dispose to my best advantage. In my next by Capt. Goodridge I shall be more large and shall ord^r the disposall of the money produced thereby.

Wff.

To Mr. John Taylor Merchant in London.

Mr. Cornelius Sergeant:

S^r. The above is copy of my former by Capt. Moore of the 21st June, 1692. I send this by Capt. Jas. Scott in the Mount-

joy and in it inclose a second bill loading and also inclosed have sent you Capt. Scot's bill of exchange upon Mr. George Mason for £22. o. o. and Richard Walters Doct^r of Moore's ship his bill of exchange for £7 sterling both which I would desire you to receive for my use and send me it in also in goods, as is above expressed. Now Sir I have given you a particular account of what goods I would have you send me by the first ship bound for this River of Potomack in Virginia and desire you to take care therein, but if I have expressed more goods than my money will reach would have you make a proportionable abatement out of the things sent for, or if my money comes to more than will purchase the aforesaid goods I would have to make a proportionable addition to the goods. I must request you also if you can to save me the freight, because if my Tob^o proves according to my expectation, I design to consign you more next shipping, and shall be willing to freight it with ship that brings in my goods. Also I expect some goods by Capt. Moore which^o I would have yet amongst those for saving charges. It would be of great advantage to me could I have those goods come to me by Christmas next, which I hope a short passage to his ship might effect.

I rest,

Sir your Wff.

To Mr. Cornelius Serjeant, Duplicated by Goodridge.

July 4, 1692.

Mr. John Taylor:

S^r. By Capt. Philips in the John & Margaret I have sent you two letters one of the 21st April past acquainting you of six hh^d Tob^o sweet scented consigned you at the freight in the bill loading mentioned, together with a barrell of stemmed Tob^o freight free, the other of the first July last giving you an account of two hh^d more sweet scented Tob^o consigned you in the same ship, as by the severall bills of Loading in the respective letters and the Duplicates inclosed, in this you will fully see. I have also in my former letter referred you to Mr. Samuel Chue for an account of the goodness and esteem of my Tob^o which about three days since in his letter, he assured me he had performed. I hope the goodness of the Tob^o will answer its character and I

don't doubt but your honest skill and ingenuous Dexterity in dealing will fully answer my expectation and give me encouragement to continue a future trade and correspondence with you. If my Tob^o comes safe to your hand please S^r to send me these following goods for the produce thereof if the money will reach it but let me not be a farthing in debt (viz).

Those goods S^r I would have you send me by the first ship bound for Potomack River in Virginia and to take a bill Loading to be delivered at my landing and I would have all but the Iron ware pack'd in good saleable chests and trunks which though it be dear in the first Purchase yet considering their usefulness and conveniency for sale renders the less loss in the conclusion. If the money for the Produce of my Tob^o should not reach to the goods mentioned please to make a proportionable abatement of the goods; if it overdoes, please to keep the overplus money in your hand till farther.

Order of

Wff.

To Mr. John Taylor, Mercht., &c.

(TO BE CONTINUED.)

CHARGES AGAINST GOVERNOR NICHOLSON.

[From original MS. in possession of the Virginia Historical Society.]

A Memoriall Concerning the Mal-administrations of His Excell^y Francis Nicholson, Esqr., Her Ma'ties Lieut. and Governour Generall of Virginia.* 1

Not to speak of the vast number of Instances of his injustice, oppression and insolence to particular persons which would require a large volume, we shall limit our observations to his behaviour toward our selves in the severall capacities wherein we act whether as members of her ma'ties council or as the Upper house of Assembly or as Judges of the general Court, with

* Nicholson's second term as Lieutenant-Governor of Virginia began December 9, 1698, and ended August 15, 1705.

some few more of the most publick and notorious abuses of his government and bad examples of his Life and conversation, because he would offer nothing on so tender a subject that may be improper to be taken notice of by persons in that station wherein her ma'tie has thought fit to place us in this country.

HIS BEHAVIOUR IN THE COUNCIL.

Whereas heretofore it was the constant practice agreeable to her Ma'ties Royal Instructions that the government of this Country (though in chief committed to the governour for the time being) was administred by the advice and consent of the council, he the said governour has altered this good and wholesome method by engrossing all power to himself and by acting alone in most of the chief affairs of the government. For Instance, Justices of the Peace all over the country who used always to be nominated in Council and by the Councils advice and consent are now privately appointed by himself, and sometimes blank commissions are signed and sealed for that purpose, to be filled up by particular favourites. The same method is used for striking any one out of the Peace without any fault known or communicated to the Council, and of late a whole court was in this manner turned out at once (two only excepted) and very insufficient and undeserving men substituted into their places, to the general dissatisfaction of the people and endangering of the Peace in that part of the country.

All the sheriffs are of late nominated by his Excellency in privat, without asking the advice of the council contrary to all former practices.

All Colonels, Leiutenant Colonels, Majors, Captains, and other officers of the militia are put in and turned out in like manner.

Naval officers are put in and turned out at pleasure without any advice of the Council.

Orders & Proclamations of all sorts are issued out in her Majesties name and published at Court & churches all over this Government without any advice in Council.

Precepts & Warrants are drawn upon the Receiver Generall, not only without the Previous advice but without the subsequent privy and Knowledge of the Council.

The whole accounts of her Majesties Revenue (if past at all)

are past by his Excellency without the knowledge or consent of the Council.

Particular agents are sent home for England by his Excell^y, and paid out of her Majesties Revenues, without the knowledge of or consent of the Council.

A standing agent is named by his Excell^y in England, and allowed one hundred pounds p annum out of her Majesties Revenues of two shillings p hogshead without the consent of the Council, or any other body of men in this country, tho' he goes under the character of the agent of Virginia.

Rules of Limitation in taking up of land have been prescribed to surveyors, against both Law and Custom, and without any advice in Council.

Surveyours of Land have been directed, limited and totally restrained in the execution of their office, against Law and without any advice in Council, to the great prejudice of her Majesties subjects.

Many things have been put on Record both in the Secretaries and Councils' offices, and others forbid to be put upon Record; without any advice in Council, what shall or shall not be so recorded.

His Excellency alone recommends home such persons as he thinks fit to be put upon the Council, without the knowledge or advice of the Council.

By his Excellency's interposition with the Secretary the Clerks of the County Courts are put in and removed at pleasure without any advice in Council, and much to the dissatisfaction of the Courts they are to serve.

And in short all methods are taken to engross all power into his own hands and to render the Council insignificant Cypher, which is a great alteration of government, much to the dissatisfaction of this Country, and as we conceive, very dangerous and unsafe to her ma^y'ties service.

II. Many matters of great moment are transacted by his Excell^y expressly contrary to advice in Council Particularly. The calling so many Generall Assemblies, and at such unseasonable times of the year, to the great trouble and charge of the Inhabitants.

The exasperating of Assembly with harsh speeches and irrita-

ting Propositions, to the great obstruction of her Ma'ties business.

The keeping the land on Blackwater and Pamunkey Neck shut up, without any instruction, contrary to the advice of both Council and Burgesses.

When afterwards, by an order of himself & Council (notified by Proclamation all over the Country) the Blackwater land was opened, and a great many people had been at the charge of purchasing Rights of her Ma'tie and of making Entries and surveys, he by his private orders, contradicted and retracted all, forbidding the surveyours to proceed, without taking any notice to the Council of this Prohibition, either before or after issuing thereof, to the great loss of her Ma'tie in her quit-Rents.

III. He signs many orders, Warrants, Pattents, Commissions and other things in Council (on purpose to have the Colour of the Councils name) which are never so much as read in Council, and the Council knows nothing of them.

IV. There is now no check nor controul upon the accounts of her Ma'ties Revenue in this Country; whereas formerly they used to be examined & past in Council, at a solemn Audit appointed for that purpose.

V. He is impatient of all just freedom of dispute or debate in Council, that if any one of the Council presumes to differ in opinion from him, tho' he expresses himself in never so modest and submissive Terms, he is comonly treated with reproof and threats, in the most rude, insolent and abusive manner, as if it were a great crime to preterd to that freedom of debate and vote which is allowed us by her Ma'ties instructions and is so necessary for her service.

VI. To the end he may act without controul, he carefully conceals from the Council the knowledge of his instructions by which (as we humbly conceive) we ought to be directed in giving and he in taking our advice.

VII. He has endeavored upon all occasions to debase and vilify the Council before the people, by giving them gross and abusive language (such as Rogues, Villains, Raskalls, Cowards, Dogs, &c.) to their faces and behind their backs; reflecting upon them as if they had got their estates by cheating the people, swearing that he valued the Council no more than the dirt

under his feet, and that he would reduce them to their primitive nothing, and likewise advancing men of inferior stations to the chief Commands of the Militia; by which trusts and Honours the Council alone used formerly to be dignified and distinguished, to her Ma'ties great security in times of danger. By these means endeavoring not only to regain the good opinion of the Comon people, but allso to beget in them such jealousies and distrusts of the Council, as might render them incapable to withstand his arbitrary designs.

HIS BEHAVIOUR IN THE UPPER HOUSE OF ASSEMBLY.

I. Whereas that House humbly conceives that they ought to be left to the freedom of their own debates without being swayed and overawed by the Governour's Interposition; he is not only Continually present, but takes upon himself to preside & debate, and state the questions and overrule, as if he were still in Council; which the said House takes to be a great encroachment upon their Liberties & privileges.

II. His usual high, haughty, passionate & abusive way of browbeating, discouraging & threatening all that speak anything contrary to his opinion or designs is another great encroachment on the Liberties of that House.

III. His endeavoring to beget or feed a bad understanding between the two Houses; his downright interposing and siding sometimes with one House & sometimes with the other, & making entries to that purpose in the Assembly Books we take to be a great Encroachment on the Liberties of both Houses.

IV. His Closetting of the members & using all the arts of Cajoling & threatening for his own ends, not sticking sometimes to threaten the cutting of their throats & their utter ruin, we take to be another intolerable encroachment on the Liberties of that House.

V. He makes severall Extemporary rash speeches to both Houses of Assembly, Cajoling or irritating, promising or threatening, which tho' they have great influence in making or marring the business of Assemblys, yet are never put into writing, nor appear anywhere in the Minutes of either House of Assembly.

HIS BEHAVIOUR IN THE GENERALL COURTS.

I. He uses gross & visible partiality in most cases of his friends or Enemies, abusing the Council at the barr, & often hectoring his fellow judges, if they happen to differ in opinion from him.

II. He keeps Courts at most unseasonable hours in the night to the great dissatisfaction & endangering the health of Judges, Lawyers & people.

III. He sends for his creatures from the Country & gives directions to the Sheriff to put them upon the Grand Jury and tampers with these Juries to procure flattering encomiours of himself, that by the sending of these for England his true character may be concealed.

IV. He often makes particular entries contrary to the opinion of the rest of the Court, & in very abusive and reflecting terms.

OTHER PUBLICK ABUSES IN HIS GOVERNMENT.

I. He makes her ma'ties name cheap and contemptible, by using it to every frivolous, unnecessary, or arbitrary command, e. g. If he wants to speak with any man, the message is brought him in these words, His Excellency commands you in the Queen's name to come to him immediately. If he wants an Horse or Boat and hands, &c., he sends presently to press an Horse or Boat and hands in her ma'ties name, or whatsoever other comand he gives, tho' no manner of way relating to the Government, they are all given in the Queen's name and the more illegal, arbitrary, or unjust they are, so much the surer are they to be backed with the authority of her ma'ties name.

II. He encourages all sorts of Sycophants, tattlers and tale bearers, takes their stories in writing & if he can persuade or threaten them to swear to them; without giving the accused person any opportunity of knowing his accusation or accuser.

III. He has privately issued severall commissions to examine witnesses against particular men ex parte; He has forced men upon oath to turn informers & if witnesses do not swear up to what is expected, they are tampered with & additional depositions are taken; but all this while the person accused is not ad-

mitted to be confronted with, or defend himself against his defamers.

IV. As he encourages these Sycophants and tell-tales, and has some such in most parts of the country, so he is a man so subject to suspicion & jealousy, that he readily believes and mightily improves all such stories, and studies and pursues revenge to the utmost against all whom he suspects and all their kindred, friends and acquaintance.

V. He makes it a great part of his business by most malicious stories of his own coining, to blast the reputation of all such persons of either sex against whom he has any manner of prejudice; and by that means prostitutes his own honour & honesty.

VI. He endeavors mightily to make parties, and foment Divisions in the Country to the utter destruction of good neighborhood and the manifest endangering of the Peace.

VII. He is exceedingly self willed and utterly uncounselable by any person or persons whatsoever.

VIII. He values not how arbitrary & illegal his commands are. If the ordinary attorney for her ma'tie will not undertake his designs as being against Law he employs others that will. Upon an Attorney General declining one of his commands as being against Law, he took him by the collar & swore by God that he knew of no Laws we had & that his commands should be obeyed without hesitation or reserve.

IX. His haughty, furious & insolent behaviour to the best gentlemen in the country is more like down right madness than anger or passion. He has told us sometimes that he knew how to govern the Moors & that he would beat us into good manners. And sometimes upon very trivial occasions he has threatened very considerable gentlemen to try them for their Lives, swearing that he must hang one half of these Rogues before the other would learn to obey his commands. He has not only in rash words threatened to cut Gentlemen's throats, but sent them formal messages and made solemn vows that he would be their death or their ruin; & to assure them that he should be borne out in all these things. And he has been heard to make his brags that right or wrong he could by his authority ruin any private man.

X. He is so abusive in his words & actions as not only to

treat our best gentlemen with the scurrilous names of Dogs, Rogues, Villians, Dastards, cheats & cowards, and our best women with the names of whores, bitches, Jades, &c., but actually to beat and buffet some gentlemen in a most publick, insolent and tyrannical manner.

XI. In his rage he most arbitrarily committed men into custody without any cause of committment assigned and without prosecution thereon.

XII. His profane custom of bloody cursing and swearing and that often immediately before or after prayers, and perhaps the same or next day after receiving the blessed Sacrament, convinces all people that he has no sense of Religion, and that he is a great scandal to the Church of England for which he pretends to set up.

XIII. This is further confirmed by many gross immoralities and pranks of Lewdness and rudeness to women that he is notoriously known to be guilty of in several parts of the country.

XIV. His rash and profane swearing ensnares him sometimes in the higher sin of for swearing, particularly upon the pretense that a great deal of injustice has been done by Executors and administrators in the execution of their trusts, he swore severall times that he would never sign any more Probates or commissions of Administrations, saying it was against his conscience, and in this humour he continued for severall months, often repeating solemn oaths that he would never do it; yet afterwards when he found the complaints in the country grew very loud, and feard the bad influence of them on a Generall Assembly then called, he got over all his oaths and signed them again as himself and other Governours before had used to do, and by such rash oaths and solemn promises upon public occasions which he hath afterwards thought fit to break, he hath so ruined his credit that neither his promise nor oath are now any more regarded.

XV. He has extremely ensnared the consciences of the Clergy, by urging, perswading, bribing & terrifying them, into such Eulogies and encomiums of himself in high flown, flattering addresses, as must make them forfeit their honour & honesty if they comply with them or expose them to his fury and revenge, and consequently their own ruin, if they refuse them.

XVI. To oblige his flatterers he breaks thro' the clearest in-

structions, and the greatest ground of merit with him is to be forward in promoting of any flattering address to recomend him to the Court of England. For this reason the Foreman of a Grand Jury that had drawn one of the most fulsome of these addresses was lately immediately rewarded with a naval officers place, worth about one hundred pounds per annum, taken on purpose from an honest gentleman that had blamelessly managed it, and one of the greatest traders of this Country (because he is a tool of his) was by him preferred and has bin all along kept in the possession of such another naval officers place; expressly contrary to the Royal Instruction on that subject which positively forbids the bestowing of these places on any men much in trade, by that means to cut off from them the many opportunities they have of playing tricks in their office.

XVII. His ordinary house keeping is most scandalously penurious, no way suiting the dignity of her Ma'ties Governour, having but one Dish of meat at his table, tho' at publick times when he has any flattering address to procure or any other design in hand, he prepares such feasts as he thinks may best contribute to the carrying on of his sinister purposes.

XVIII. Tho' this is his true character, he takes all imaginable care to conceal the same in England.

1. By giving out terrible threatenings against all that shall offer to accuse him there.
2. By endeavouring to stop all from going out of the Country that he suspects will give an unfavorable character of him.
3. By giving the falsest and blackest characters of all such as he fears will dare to write the truth, as if they were men of scandalous lives or disaffected to her Ma'ties government, tho' they are men of never so known Loyalty and good credit & Reputation.
4. By procuring flattering addresses from packed Grand Juries, for which he rewards them with places of honour and profit in the Government.
5. By calling clandestine meetings of such of the clergy as will join in the like flattering addresses, and menaging them with treats and Presents and protection of such as are obnoxious and promotion of such as are desirous of better preferment.
6. By Intercepting letters in hopes of discovering the Intelli-

gence, for or from England concerning his conduct in this country, to the unspeakable hindrance of friendship, trade and business.

7. By procuring the comendatory letters of the few Church of England ministers that are in New England, New York and Pennsylvania to whome & their churches he sends now and then a present when he wants any of their flattering recommendations.

8. Especially by employing S^r Thomas Lawrence in Maryland & Collonel Robert Quarg in pensilvania (men linkt in interest with him) to varnish over his unjustifiable Life & Government for which he repays them both with his own favours, and by employing his interest in England to promote theirs: the intercourse between him & them being kept up at her Ma'ties charge: as may appear by the extraordinary disbursements for messages to the Northward in the accounts of her Ma'ties Revenue.

If the truth of any of the particulars of this Memoriall requires any further proof besides our own representation (being the major part of the Council), we pray that some course may be contrived that witnesses may be examined here & may be enabled to deliver their testimony free from the terrour & resentments of his arbitrary Government, and that we may have free access to the Council & Assembly books and all other publick Records: and we doubt not we shall make out a great deal more than we do now attest under our hands.

And moreover we humbly pray that her Ma'tie will be graciously pleased by her Royal Instructions to her future governors to provide that the several particular grievances before menconed may not hereafter be drawn in consequence to prejudice the just Rights & Liberties of ourselves & other her Ma'ties Dutiful & Loyal Subjects in this her Colony and Dominion.

J. LIGHTFOOT,
MATTHEW PAGE,
BENJ: HARRISON,
ROBERT CARTER,
JAMES BLAIR,
PHIL: LUDWELL.

Major Robert Beverley and His Descendants.

BY W. G. STANARD.

(CONTINUED.)

15. ROBERT³ BEVERLEY (*Harry*,¹ *Robert*¹), "son of Captain Harry Beverley and Madam Elizabeth, his wife, was born November 6, 1701" (*Christ Church Register*); married, April 10, 1729, Ann, daughter of William Stanard, of Middlesex county (*Ibid*), and died in 1733. His seat was "Newlands," Spotsylvania county, and he was a rather exceptional instance of a Virginian of large estate who never held public office. His time seems to have been chiefly given up to the accumulation of a large landed estate. In the first volume *Calendar of Virginia State Papers* appears the following letter:

" May 20, 1724.

S'r. I desire you wou'd survey the order of Council I entered w'th you for Sixteen thousand acres of Land, Beginning at the upper end of my father's patent on Pamunkey River for length and a mile and a half back for breadth. I desire you would divide it into thousand acres, and return the plats in the following names: the Lowest thousand for myself, the next for my sister Mary,² the next Margaret³ Beverley, the next Susanna⁴ Beverley, the next Catherine⁵ Beverley, 6, Judith Beverley, 7, Agatha Beverley, 8, Will'm Stanard, 9, Elizabeth Stanard, 10, Beverley Stanard, 11, Sarah Stanard, 12, Ann Stanard, 13, Wm. Wily, 14, John Wily, 15, Harry Gaines, 16, Bartholomew Yates, Jur. If you can, by Surveying the whole, and afterwards plot it of, in thousand acres, it will save a great deal of charge, and I shall take it as a very great favour. I desire you would make this Survey, as soon as you can. I will be paymaster for the whole.

I am y'r very humble serv't,

ROBT. BEVERLEY.

To Coll. James Taylor. These.

In the year — Robert Beverley patented 24,000 acres of land in Spotsylvania (now in Greene), called the "Octonia" tract. Various Acts of Assembly required that improvements of a certain proportionate value should be made on all patented lands to prevent their lapsing to the crown, such improvements to be approved under the direction of the county courts. The owners of land appear to have taken full advantage of all expenses that they could possibly credit themselves with. The appraisement of expenses and improvements on the Octonia tract

is a good example, and also of the cost of securing large patents. In obedience to an order of Spotsylvania court, dated June 6, 1732, Benjamin Cave, Richard Winslow, and Henry Dennis ("in accordance with a petition of Robert Beverley, Esq.") valued his improvements and expenses on "a tract of 24,000 acres called the Octonia, at the mountains in this county." The report fills many pages of a large record book. Among the items are the following: The charge of taking up and surveying, £200; the trouble and risque of 14 men and their horses, 21 days at 10 shillings per day each, £147; the Rights bonded for, £120; 20 per cent. on do., £24; charge and trouble of obtaining said patent, £50; charge of petitioning for said land, Secretary's and lawyer's fees, £75; attending General Court, 5 Courts about the said petition, with all charges of the journey at £20 per cent, £100; trouble, charge and risque of going to Octonia three times before it was settled, 1st time 7 men, 8 days; 2d time 6 men, 12 days; 3d time 8 men, 11 days, and their horses each time, at 10 shillings each per day, £325; to the rights paid, £120; to 20 per cent. on do., £24; the trouble and expense of getting this patent, going to Williamsburg 3 times, and to Col. Grymes's once, £100; interest on the above money being 6 years before the land was settled, £447; various charges for Holland duck for bags, narrow hoes, grubbing hoes, billing hoes, broad hoes, bells, broad hatchet, ten-gallon pots, frying pans, adz, broad axes, cross-cut saw, gimlets, salt, rum, hobbles ropes and straps, cart and horses, &c., &c.; to 7 white men and horses and 8 negroes 35 days, settling the quarter, the white men and horses at 10 shillings per day, and the negroes at 5 shillings, £192. 10; "to risque of ye eight negroes lives, their ware and tare," £50; "to risque of ye 7 white men their ware and tare," £75; "to my own trouble and ware and tare and risque of my life," £80; also very many items for supplies of various kinds; total £11,234. 17. 8½.

Robert Beverley possessed a valuable library, part of which he inherited from his father. Armorial book-plates of Harry and Robert Beverley are preserved.

Besides the lands spoken of Mr. Beverley owned other considerable estates. In 1765 and 1766 acts were passed by the Assembly to dock the entail on certain lands belonging to his son, Harry Beverley, and in them it was recited: "Whereas Robert Beverley, formerly of the county of Spotsylvania, esquire, was seized in fee simple of a valuable tract of land called Newland, where he lived, containing about three thousand six hundred acres; of another tract of valuable lands at Portobago, in the county of Essex, containing about two thousand seven hundred acres, and of a large tract of remote lands called Octonia, in the county of Orange, containing twenty-four thousand acres," "And was also seized of divers other lands in fee taille."

Robert and Ann Beverley had issue, one son: 29. *Harry*.⁴ Mrs. Ann Beverley married (II) (license Spotsylvania, June 11, 1738) Col.

Wm. Waller (died 1700), who was for many years member of the House of Burgesses from Spotsylvania.

The inventory of "Robert Beverley, of Newlands, Esquire," contains, among other items, the following: At Newlands, 7 negroes, 2 globes, 2 silver hilted swords, one old chaise and harness for two horses, 12 silver spoons, 6 tea spoons, 1 silver soup ladle, 1 small silver can, 9 "disert" knives and forks in a case, 6 case knives & forks, 1 silver can, 1 silver porringer; at Portobago Quarter 10 negroes; at the Meadow Quarter, 10 negroes; at Octonia Quarter & mill, two servants and 8 negroes; at Rymers, 13 negroes. After the death of Col. Wm. Waller a statement was recorded in Spotsylvania that Mrs. Ann Waller possessed 21 slaves as her dower in the estate of Robert Beverley, deceased.

The following is a copy of the will of Robert Beverley:

In the name of God, Amen! I, Robert Beverley of the Parish of St. George & county of Spotsylvania, being in good health of body & of sound & perfect mind & memory, Knowing the uncertainty of human life & being willing that the worldly estate w'ch it hath pleased Almighty God to bless me w'th should be disposed of in such manner after my Decease as I shall hereinafter direct, do make this my last will & testament in manner & form following; vizt:

Imprimis: I do bequeath my soul to God in hopes of a Joyfull resurrection unto Eternal life through the merits and Intercession of my Dear redeemer & Saviour Jesus Christ, my body to the Earth from whence it came to be buried in such decent Manner as my Executors hereinafter named shall think proper.

Item. It is my will that all my Just debts & funeral Expenses be first Justly paid and discharged.

Item. It is my will that the acct. of the Estate of my late father, Mr. Harry Beverley, deceased, be ——— fairly & Justly settled with my sisters & the husbands of them that are married and whatever is due to them for their parts of the same be Justly paid to them, Either in money or in any part of my father's personall estate that is left in specie as they shall choose. And it is my will that no account which I had against my father, Mr. Harry Beverley, dec'd, before his death be brought ag'st his Estate in the settlement above directed; I hereby freely remitting everything that was due to me from my father before his death; and only those accounts that I have against his estate since his Death be taken as a charge against his Estate in the settlement above directed.

Item. I give unto my nephew, Beverley Stanard, & to the heirs of his body lawfully begotten forever Six thousand acres of land, part of my tract of land at the Mountains in Spotsylvania County, commonly called the Octonia land, to be laid off at the upper end of said tract, the whole breadth thereof and to come downward from the upper end untill it makes the said Six thousand acres.

Item. I give unto Mr. Benjamin Winslow, my brotherinlaw, & to the

heirs of his body lawfully begotten forever three thousand acres of land, part of my tract of land at the mountains in Spotsylvania county commonly called the Octonia land to be laid off at the lower end of the said tract & running up to the mouth of the Clow run, thence up the Clow run untill a line from thence to some of the lower lines w^{ch} run nigh the southwest mountains will make the said three thousand acres of land, only it is my will that fifty acres of land adjoining to my mill and below the Clow run be first laid off in an oblong on the run side.

Item. I give unto Anthony Head & to his heirs forever two hundred acres of land, part of my said Octonia tract to be laid off on the upper side of the Clow run in an exact square and to include the plantation the said Head now lives on.

Item. I give unto Robert Dearing & to his heirs forever two hundred acres of land, part of my said Octonia tract to be laid off on the lower side of the Clow run and bounded according to a survey thereof lately made by Mr. Benjamin Winslow.

Item. It is my will that my whole estate be kept together untill it (raise besides the Yearly expences thereof, the paying the debts I owe & the legacy I do herein bequeath) five hundred pounds sterling which sum when so raised I do desire and order to be laid out by my executors to the best advantage in negro slaves, w^{ch} slaves when so bought I give and bequeath unto my son Harry and I do desire that the said slaves may be settled on my land for his life.

Item. It is my will that my three unmarried sisters, Mary, Catherine and Agatha have their board and live in my house at Newland in the same manner they have used to do with me in my lifetime untill they marry; w^{thout} any charge or expense to them.

Item. It is my will that my two sisters Catherine and Agatha work their negroes on my dwelling plantation called Newland untill they marry w^{thout} paying any consideration for the same.

Item. I Give and bequeath unto my two sisters Catherine and Agatha six pounds currant money p^r annum besides the product of their own slaves untill they marry.

Item. I lend unto my dear wife Ann Beverley after that clause in this my will w^{ch} Directs five hundred pounds sterling to be raised and laid out in negroes for the benefit of my son is complied with one Entire third part of all my negroes, stock & land and all my other personall estate except the negroes and stock without being obliged to make up any account for the same wth my son when he comes of age, that is; & my meaning is; that she my said wife Ann Beverley shall have the use of my whole personall estate except negroes and stock immediately after my death and the use of the third part of my negroes and stock, after the above mentioned clause is complied with during her naturall life & it is my will that my estate be neither appraised nor sold, only inventoried.

Item. I give and bequeath unto my dear and only son Harry Beverley all the rest of my estate both reall and personall, to him and the heirs of his body lawfully begotten forever.

Item. It is my will & desire and I do order and Impower my Executors to sell the one thousand acres of land which I bought of Joseph Harris, and also ye nine hundred and twenty acres of land in Caroline County binding upon ye lands of William Durrett for money—the most that can be gott.

Item. I desire that ye affairs of my land with ye "Iron Mine Company" on Pamunkey may be settled and that ye fifteen hundred acres of land being ye upper half part of a tract of land called Camm's land & now due to me from ye said Company may be laid off & deeds thereof made to my Executors & that my executors also sell the said land for money—the most that can be gott & that my said executors buy for each of my sisters a young negro out of the said money.

Item. I give all the land that I have in that tract at pamunkey to my five sisters that have part there already, to them and their heirs forever, to be equally divided between them.

Item. I give unto my sister Stanard's two daughters all the right which I have in Mr. Stanard's estate except the negroes, and I give them each a negro out of my share of the negroes of the said estate.

Item. I make and appoint my dear and loving wife, during her widowhood—and my cousin William Beverley Executors of this my last will & testament, and after my dear wife shall happen to marry, then my will is, that my brother Benjamin Winslow be one of my executors.

Item. It is my will that my dear son Harry be not sent to England, but put to school at ye college at the age of ten years & there kept as long as shall be necessary, that is, till he is one & twenty years old, to learn all such things as is necessary for a gentleman & can be taught him there.

Item. I appoint my cousin William Beverley to be the guardian of my son Harry.

In testimony whereof I have hereunto sett my hand and seal this 12th day of May in ye year of our Lord Christ one thousand seven hundred and thirty-three.

ROBERT BEVERLEY. [Seal.]

Signed, sealed & delivered to be his last will and testament in the presence of us—the interlineation in ye clause about the land called Camm's land & that about ye pamunkey land being first made.

ELIAS WAFF,
JEROME ARMOR,
LARKIN CHEW,
W. BEVERLEY.

Item. I do order my executor to sell all my houses and lotts in ye town of Urbanna for the most money that can be gott for them.

Item. I do hereby disannull the power of executorship by this my will given to Benjamin Winslow.

ROBT. BEVERLEY. [Seal.]

Signed, sealed in the presence of us,

ELIAS WAFF

JEROME ARMOR.

the mark of

MARY M MUCKENBREE.

At a court held for Spotsylvania County on Tuesday, June ye 5th, 1733.

This will being exhibited & sworn to by William Beverley, gent., one of the executors therein named was proved by the oaths of Elias Waff & Larkin Chew, likewise the codicil of the said will was proved by the oaths of Elias Waff and Mary Muckentree the witnesses thereto and admitted to record.

Test: JOHN WALLER, Cl'k C'urt.

At a Court held for Spotsylvania County on Tuesday, November 6th, 1733.

Mrs. Anna Beverley widow of Robert Beverley, Esq., Dec'd, came into court and accepted of the Executorship of her late husband's last will and took ye oaths as the law directs.

Test: JOHN WALLER, Cl'k C'urt.

A true copy from the Record.

Teste: J. P. H. CRISMOND, C. C.

A list of books taken from the inventory and appraisement of the personal estate of Robert Beverley, deceased, of Newland, Spotsylvania county, Va., and recorded in Spotsylvania county court February 4th, 1734: [The clerk's copy has been followed exactly.]

Tillotson's Works, 3 vols.

Lock's Works, 3 vols.

Temple's Works, 2 vols.

Statutes at large, 3 vols.

Harris's Lexicon tectin., 2 vols.

Kennett's Hist. England, 3 vols.

Burnett's Hist. of his own times,
1st. vol.

Puffendross' Law of Nature and
Nats.

Marhams Works.

An old Bible of ye old eddition.

Mox on the Globes.

Mayer's Eccles: interprets.

Lukenor's Comon of Venice.

Bacon's Essays.

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Thessalonians.

Palmers Catholique planeispher.

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 Pettus of Mettals.
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 Boys' Exposition.
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 2 Commonplace books begun by
 Mr. Beverley. Quarto.
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 Robinson's Lixicon.
 Crachanthorps Logic; Lat.
 Coles Lat. Dictionary.
 Cotton's Works.
 Beveridges's Private thoughts.
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 notes.
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 Secret hist. of Queen Eliza'th.
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 Clark's Tutor.
 Barrows Euclid Lat.
 Virgil w'th Minellius' notes.
 Baronius's Theolog.
 Leyboneus Astronomy.
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 lis.
 Tully's Offices Lat.
 Tullys Select Epistles.
 Salust with notes.
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 The posing of the accidence.
 Duhamels Philos.
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 Gerhardi Meditat. Sacrae.
 Mores Utopia.
 Osborns advice to a son.
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 The Ruin & Repairs of King-
 doms.
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 Terence.
 Garrotson's Exercises.
 Seneca.
 Rowels Catech.
 Latin Testament.
 Scholia or Isocrates.
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 The Confession of Faith.
 A Brief of Concordance.
 The duty of Man.
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 Virgil's works.
 Greek Common Prayer.
 Terence.
 Dialogues Greek: Eng. & Lat.
 Caesars Commentary.
 Lucieus Select Dialogues.
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 Epistol Ravisig. Textoris: Salust.
 Part of Moore's Utopia.
 Juvenal & Persius.
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 Job in Greek & Lat. verse.
 Terence.
 Harnaby's retorick.
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 Homers Illiads, Lat. & Greek.
 Dugards Pretoris, &c.
 Englands Dictionary.
 Aesops Fables.
 Index Poeticus.
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 Homer's Illiads—Gr. & Lat.
 Wats. Lat. Dictionary.
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Robertson's Phars's.	Ye hist. of ye seige of Damascus.
Erasmus' Colloquys.	Ye victory of Cupid.
Scots Christian life.	Virginia Laws, made in 1730 & 1732.

A true abstract—Teste:

J. P. H. CRISMOND, C. C.

16. SUSANNA^a BEVERLEY (*Harry,^a Robert¹*), born November 15, 1706 (*Christ Church Register*); married (license dated November 22, 1726) Benjamin Winslow, of Essex county (son of Thomas Winslow, who was living in Essex in 1703, and died in that county, leaving a will, proved in August, 1726). There are on record in Spotsylvania deeds, one dated December 15, 1751, in which she gives 595 acres of land to her son, Beverley Winslow, and one dated October, 1764, 595 to her son, Benjamin Winslow, both tracts being parts of a tract of 1,190 acres in Spotsylvania, left her by her father, Harry Beverley, deceased. There is in Essex, dated September, 1733, a power of attorney from Susanna, wife of Benjamin Winslow, to her friend, Colonel William Beverley [of Blandfield]. The will of Benjamin Winslow, dated December 16, 1748, was proved in Essex May 21, 1751. His legatees were his wife, sons, Beverley, Benjamin and Harry; daughter, Susanna Beverley (whom he leaves to the guardianship of Beverley Stanard), and another daughter whom he does not name ("my two daughters"). Legacies were given to "my children," so there may have been others not named in the will.

Benjamin and Susanna^a (Beverley) Winslow had issue: I. Beverley, sheriff of Spotsylvania 1764; II. Benjamin; III. Harry; IV. Susanna Beverley; V. Daughter.

17. MARY^a BEVERLEY (*Harry,^a Robert¹*), born March 27, 1704 (*Christ Church Register*); married Larkin Chew, of Spotsylvania county (license dated September 20, 1733), who was son of Larkin Chew (who

was living in King and Queen in 1703, later in Essex and Spotsylvania; was justice of latter county 1722, sheriff 1727 and 1728, and member of the House of Burgesses 1723 and 1726, and left will, proved in Spotsylvania April 1, 1729). Larkin Chew, the younger, was a justice of Spotsylvania and sheriff 1739 and 1754. On May 3, 1752, Larkin Chew, gent., and Mary, his wife, made a deed to Beverley Stanard, of Spotsylvania, conveying, in consideration of love and affection for said Stanard and his wife, Elizabeth, daughter of said Larkin and Mary Chew, 528 acres in the parish of St. George, Spotsylvania county, 193 acres part thereof having been granted to John Chew, gent., by patent June 4, 1726, and the other 335 acres were given said John Chew by his father, Larkin Chew, gent., deceased, by deeds, dated July 3 and 4, 1727, and the whole being now the property of said Larkin Chew. By deed, September, 1758, Larkin Chew and Mary, his wife, conveyed to John Smith, of King and Queen county, and his wife, Mary, daughter of the said Larkin and Mary Chew, 1,042 acres in Spotsylvania, part of a patent to Harry Beverley, deceased, dated December 24, 1700, and by the said Harry Beverley devised to his daughter, the said Mary Chew. There is recorded in Spotsylvania a deed, dated December, 1770, from Oliver Towles, of Spotsylvania, and his wife, Mary, reciting that she was daughter of Larkin Chew, and making provision for Larkin, Mary, and Elizabeth Smith, her children by her former husband, John Smith, and for her children by said Oliver Towles. Larkin Chew's will was dated March 29, with a codicil April 6, 1770, proved September, 1770. Legatees: wife, Mary, grandson, Larkin Smith, and for want of his heirs, reversion to the other children of daughter, Mary Towles; certain property to be divided between the children of daughters, Elizabeth and Mary; grandsons, William Stanard and Larkin Smith; sons-in-law, Mordecai Buckner and Oliver Towles.

Larkin and Mary³ (Beverley) Chew had issue: I. Mary, married, first, John Smith, of "Rickahock," King and Queen county (and had Colonel Larkin Smith, captain of cavalry in the Revolution and Speaker of the House of Delegates; Mary and Elizabeth); married, second, Oliver Towles, of Spotsylvania, colonel in the Revolution, and had issue; II. Elizabeth Beverley, married, about April 19, 1750 (date of marriage bond), Beverley Stanard, of "Roxbury," Spotsylvania (and had William, of "Roxbury," Larkin, of "Stanfield," Spotsylvania; Beverley and several daughters); married, second, Mordecai Buckner, colonel in the Revolution (his land bounty warrant is on record in the Virginia Land Office) (and had John, Baldwin Matthews, and perhaps daughters).

[TO BE CONTINUED.]

ABSTRACTS OF VIRGINIA LAND PATENTS.

PREPARED BY W. G. STANARD.

(Note to 250 continued.)

2. LIEUTENANT-COLONEL JOHN² EPPES, of Charles City county, patented 2,750 acres there in 1667, and was alive in 1677. He married —, and had issue: 5. *William*;³ 6. *Richard*³ (*History of Bristol Parish*).

3. LIEUTENANT-COLONEL FRANCIS² EPPES, of Henrico county, was born about 1628, and died in 1678. From the beginning of the extant Henrico records in 1677, until his death, his name appears as a justice. He married (I) —; (II) Elizabeth, widow of Wm. Worsham, of Henrico. From the Henrico records it appears that Colonel Eppes died from a wound. On December 2d, 1678, Richard Cocke, Sr., aged about 38, deposed that he was at the house of Colonel Francis Eppes the day before he died, and Colonel Eppes said he wished his estate divided equally between his wife and four children. And on the same day Wm. Randolph, aged about 28, deposed that he was at the house of Colonel Francis Eppes a few days before he died, and said Eppes, being dangerously wounded, called him, and desired him to take notice that he wished his estate to be equally divided between his wife and four children, and when his wife asked about his land, he said he hoped his brother would seat one of them (the sons) at Causons, and that Lanctons would serve one of the boys. His son Francis was his administrator, and among his accounts with the estate are payments to Parson Williams £2, and Parson Ball 10 shillings, doubtless for the funeral services. The inventory of his estate, recorded in April, 1679, amounted to £313 17. 10., besides a large amount of property, store goods, &c., not appraised. Colonel Eppes' second wife, Elizabeth, widow of Wm. Worsham (by whom she had issue: John Worsham, Charles Worsham, Mary Worsham, and Elizabeth Worsham, who married Richard Kennon, of "Conjurer's Neck"), also died in 1678. Two wills made by her are recorded in Henrico, proved October, 1678. The first, dated July 28, 1678, and describing her as "Elizabeth Epes, of Bermuda Hundred, widow," makes the following bequests: to daughter, Elizabeth Kennon, a stone ring, her black gown, green silk petticoat, green satin bodie, and one-fourth of her money in the hands of Samuel Claphamson (of London); to her grandchild, Mary Kennon (who married Major John Bolling, of "Cobbs"), a stone ring "given me by my sister King;" to her daughter, Mary Worsham, one-fourth of her money, certain personal property and wearing apparel, and her thumb ring; to her

daughter Mary Eppes, a "new suite which came in this year;" to son John Worsham, one-fourth of her money and her silver tobacco box; to son Charles Worsham, one-fourth of her money and certain other personal property. The remainder of her estate to her husband, Eppes's children. Makes her son [in-law], Richard Kennon, executor.

The second will, dated Sept. 23, 1678, describes her as widow of Col. Francis Eppes, of Henrico, deceased, ratifies all her gifts to her children by her former husband, Mr. Wm. Worsham, deceased. What estate was given to her by the verbal will of her husband, Col. Francis Eppes, she wishes to be divided equally between the children she had by said Eppes, viz: William, Littlebury, and Mary, when they come of age. Appoints her [step] son Francis Eppes, and her son [in-law], Richard Kennon, executor. The account of Francis Eppes as her executor is recorded in Henrico, and from it she appears to have been buried with all the honors. The account gives the following items: to Doctors Cogan and Spears, 1,000 pounds tobacco each, to Dr. Irby 300 pounds, to Mr. John Ball, minister, 200 pounds; for her funeral, 10 pounds butter costing 50 pounds tobacco; 2 gallons of brandy, 70 pounds tobacco; half pound of pepper and half pound of ginger, 9 pounds; 5 gallons of wine, 150 pounds; 8 pounds sugar, 32 pounds; one steer, valued at 600 pounds; 3 large wethers, at 450 pounds.

Issue by first marriage: 7. *Francis*,⁸ by second marriage: 8. William,⁹ born 1661 (*Henrico Records*). On Dec. 1, 1683, he receipted to his brother Francis, for his full share of the estate of his father, Colonel Francis Eppes, deceased. In February, 1738-'9, Anne, daughter of Capt. Wm. Eppes, chose a guardian. Before 1739, Edw'd Osborne, of Henrico, married the daughter of a Captain Wm. Eppes; 9. Lieutenant-Colonel Littlebury,⁸ of Charles City county, justice 1699, &c., Burgess 1710, 1714; county clerk 1714, &c. 10. Mary,⁸ married before June, 1685, Lieut.-Col. Jno. Hardiman, of Charles City county (*Henrico Records*), who was a justice of Charles City, 1699-1702, and of Prince George, 1714; 11. Anne,⁸ gave a power of attorney to her brother, William, in Feb. 1681-'2.

5. WILLIAM EPPES, of Prince George county; sheriff of that county 1705 (*Council Journal*), had a daughter Mary who married — Custis, of New Kent ("Bristol Parish").

6. RICHARD⁸ EPPES, married — Poythress. Issue: 12. *Richard*.⁴

7. COLONEL FRANCIS⁸ EPPES, of Henrico, born 1659, died about January 1718-'9 (*Henrico Records*), sworn a justice of Henrico, June 1, 1683; sheriff, 1685, 1686, 1691, 1692, 1698, 1710, 1711, and Burgess, 1702-'3, and April, 1704 (*Henrico Records*). He was his father's executor, and is frequently mentioned in the records as the son of Colonel Francis Eppes. He married Ann, daughter of Henry and Katherine Isham, of Bermuda Hundred. Mrs. Katherine Isham, in her will

dated October 10, 1686, names her daughter Ann Eppes, son-in-law Francis Eppes, and grandsons Isham and Francis Eppes. There is a deed, July, 1717, from Mary Randolph, widow, and Francis Eppes and Anne, his wife, conveying to Joseph Royall 74 acres in Bermuda Hundred, which were patented by Mr. Henry Isham in 1661. His will was proved June, 1720. Issue: 13. *Francis*,⁴ 14. Captain Isham,⁴ of Henrico, was a justice in 1712; church warden of Henrico parish 1711; and died unmarried in 1717. By his will, proved in Henrico, July, 1717, and dated March 4, 1716-'7, he directed that all his negroes be divided between his brothers and sisters, Francis Eppes, Jr., Wm. Eppes, Jr., Ann Kennon, Elizabeth Randolph, Mary Eppes, and Sarah Eppes; gave to Francis Eppes, son of Francis Eppes, Jr., all that tract of land called Wintopock; to Richard, son of William Kennon, certain land; to "my father," "a large seal ring once my grandfather Isham's." [There is at Henrico C. H. an impression in red wax of a large seal of the Isham arms, which was probably from the ring]; to mother, a mourning ring; to father, certain personal property and land; to brothers and sisters, certain personal property; 15. William,⁴ 16. Ann,⁴ married Wm. Kennon (*Henrico Records*); 17. Elizabeth, married Henry Randolph (*Henrico Records*), March 29, 1714 (*William and Mary Quarterly*, October, 1895); 17. Mary,⁴ 18. Sarah.⁴

12. RICHARD⁴ EPPES, of Prince George, married Christian, daughter of William Robertson, of Petersburg. Issue: 19. Richard,⁵ died unmarried; 20. Archibald,⁵ died unmarried; 21. Robertson,⁵ died unmarried, 22. Thomas,⁵ died unmarried; 23. William,⁵ married — Gregory, of Chesterfield, and *d. s. p.*; 24. Elizabeth,⁵ married — Maitland, a native of Scotland; 25. Christian,⁵ married William Gilliam; 26. Mary,⁵ married *Benjamin Cocke*, of "Bonaccord," Prince George ("Bristol Parish").

13. COLONEL FRANCIS⁴ EPPES, of Henrico, was a justice in 1710, and in March, 1719-20, was appointed a trustee of the town of Bermuda in place of his deceased father. He was a member of the House of Burgesses 1712, 1713, and 1714, and died 1734. His will is dated November 7, 1733, and proved in Henrico December, 1734, and makes the following bequests: to son, Francis, all his lands in Bermuda Hundred neck, reserving for his wife, Sarah, the use of his house; also to Francis all the land called Longfield, 908 acres, all the land called Skinquarter, 5,000 acres, and 3,500 acres in Goochland near the mountains; to son, Richard, 750 acres in Prince George; a tract called Winterpock Upper Quarter, 700 acres; 1,100 acres bought from Cox; half of the land bought from Kennon; 1,500 acres called Wintopock; a tract called The Nut Tree, 250 acres, and 280 acres on Swift Creek; to son, William, 4,950 acres in Henrico called Wintopock. The remainder of his land, not devised, is to be divided between Richard and William. To daughter, Ann Eppes, 1,200 acres in Goochland called Swan Creek; to daughter,

Martha, the remainder of the tract called Swan's Creek. To son, Francis, a large flowered silver tankard, one set of silver castors, one dozen silver spoons, one silver tea-pot, a small silver salver, a large silver soup spoon, "my silver hilted sword, washed with gold," the scrutoire standing in the parlor, made of black walnut with glass doors; pistols, holsters, certain negroes, stock of cattle and other personal property. To wife, Sarah, certain negroes; to daughters, Martha and Anne, other negroes and a stock of cattle, &c.; to wife his chaise and horses; to son, Richard, a silver can and a dozen silver spoons; to son, William, a silver can and a dozen silver spoons.

Issue: 27. Francis,⁵ died unmarried in 1737. His will names his brothers, Richard and William, sisters, Ann and Martha, and his mother. 28. William,⁵ of "Longfield," Henrico, and of Chesterfield; J. P. for Chesterfield 1749, &c., and vestryman Bristol Parish 1744, &c.; 29. Richard,⁵ 30. Ann,⁵ married Harris; 31. Martha,⁵ married (I) Llewellen Eppes, (II) John Wayles. There is recorded in Henrico, dated 1746, the marriage contract between John Wayles and Martha Eppes, widow, one of the daughters of Colonel Francis Eppes, deceased. She was his third wife.

26. MARY⁵ EPPES, who married Benjamin Cocke, of "Bonaccord," had issue: 32. Elizabeth,⁶ died in infancy; 33. Dr. Richard,⁶ of "Appomattox," City Point, Prince George county, died 1896; married (I) Josephine D. Horner, of Philadelphia, who *d. s. p.*; (II) Elizabeth W. Horner (her sister) and had issue: Josephine D.,⁷ Mary,⁷ Agnes,⁷ Richard,⁷ Emily,⁷ Christian,⁷ and Alfreda;⁷ 34. Mary,⁶ died in infancy; 35. John,⁶ died in infancy.

29. RICHARD⁵ EPPES, of Chesterfield, member of the House of Burgesses from that county 1752, 1755, '58, '62, '63, '64, '65, and probably other years, married Martha, daughter of Robert Bolling, and died 1765. His will is recorded in Chesterfield and disposes of a large estate.

Issue: 36. Francis,⁶ 37. Richard Henry,⁶ 38. Sarah,⁶ 39. Martha Bolling,⁶ 40. Tabitha.

36. FRANCIS⁵ EPPES, of "Eppington," Chesterfield, born 1747, died July 4, 1808 (*epitaph*); married Elizabeth, daughter of John Wayles, of "The Forest," Charles City.

Issue: 41. John Wayles,⁷ 42. Lucy,⁷ born 1786, died February 20, 1860, married Archibald Thweatt; 43. Mary,⁷ born 1788, died April 24, 1860, married Richard N. Thweatt; 44. Martha W.,⁷ married — Spooner.

41. JOHN WAYLES⁷ EPPES, born 1773, died September 5, 1823; member of the House of Delegates from Chesterfield; M. C. 1803-'11, and 1813-'15; U. S. Senator 1817-'19; married first Maria, daughter of President Thos. Jefferson; secondly, in 1809, Martha, daughter of Willie Jones, M. C. from North Carolina.

Issue: (first marriage) 45. Francis Wayles,⁵ of Tallahassee, Florida; married first, Elizabeth, daughter of Thos. Eston Randolph, and had issue: Jane;⁹ John;⁹ Jefferson;⁹ Rev. William⁹ and Elizabeth;⁹ married second, Miss Crouch, and had several children; (second marriage of J. W. E.) 46. Mary,⁸ married Phillip Bolling; 47. Sarah,⁸ married Edmond W. Hubbard, of Buckingham county; M. C. 1841-'47; 48. Dr. Willie J.,⁸ of "Millbrook," Buckingham, married first, ——— Cox; second, ——— Joyner; 49. John,⁸ *d. s. p.* The account of the descendants of Francis³ Eppes is derived from the records of Henrico and Chesterfield, &c.; that of the descendants of John,² from Slaughter's "Bristol Parish." A William Eppes (probably Wm.⁴) married ——— Worsham, and had Isham, and, probably, Anne, who married before 1739, Edward Osborne, of "Osbornes." An Isham Eppes had a daughter, Elizabeth, who died about 1755. Llewellen Eppes died in 1743-'4.

There is a difference of opinion as to whether the families of Epes, Epps, and Eppes are descended from a common ancestor. The first Francis probably wrote his name "Epes;" but persons who were undoubtedly his descendants spelt the name "Eppes." Mere difference in spelling would, of course, be no proof against a common descent; but there is well authenticated proof that at least a hundred years ago a family spelling the name in one form did not believe they were related to those who spelt it in a different manner. Perhaps some of the name may be descended from Capt. Wm. Epes, who was living on the Eastern Shore, in 1624, with a wife and an infant son, Peter. Memoranda in regard to persons bearing the names in various forms are given below, which may serve some future genealogist:

John Eppes, sheriff, Charles City, 1707. Wm. Eppes, sheriff, Charles City, 1708. Col. Littlebury Eppes, Burgess for Charles City 1710. Llewellen Eppes, sheriff, Charles City, 1721. Llewellen Eppes, 1731-59, and James Eppes, 1759-'70, clerks of Charles City. James Eppes, appointed justice of Charles City 1734. Edward Eppes, appointed justice Charles City 1739. Edmund Epps, sheriff, Charles City, 1745. Francis and James Eppes, members of the Charles City Committee of Safety, 1775.

Edward Eppes, of Prince George, alive 1703. William Eppes, sheriff of Prince George 1705 and 1710. John and Isham Eppes, of Prince George, alive 1721. Francis Eppes, Burgess for Prince George 1736. Francis Eppes, of Prince George (a young man), died February, 1736. Wm. Eppes, sheriff of Prince George 1732 and 1737. John Eppes, sheriff, Prince George, 1738 and 1741. Francis Eppes, Burgess for Prince George 1751. Isham Eppes, Burgess for Prince George 1755. Francis Eppes, of Prince George, Va., was a lieutenant in Byrd's (second Virginia) regiment, French and Indian War; Major First Virginia regiment 1775; Colonel Second Virginia 1776, and died December 20, 1776, leaving an only child, Elizabeth Hill, who married Thos. Woodlief.

Major Isham Eppes, of Prince George, alive 1779. General Richard Eppes, of Sussex, a native of that county, was brigadier-general of militia, and was member of the House of Delegates 1818, 1820, 1822, 1872, 1830 (and perhaps other years), and died July 9, 1832, aged forty-two years.

John and Lewis Eppes were living in 1714. Frederick Eppes living 1768. Hamlin Eppes, of Dinwiddie, died in or before 1775. William Eppes was a captain-lieutenant in the Continental Line. Hamlin L. Eppes, justice of Nansemond 1834. John T. Eppes, of King William, died Oct. 29, 1834. Frances Eppes, Jr., appointed sergeant at arms of the House of Burgesses 1752; held the same office in the House of Delegates 1776, with his son Freeman Eppes as deputy. The latter was sergeant at arms 1789-'90, &c.

The records of Prince George county, which would have thrown much light on the history of the family or families, were nearly all destroyed by Federal troops during the late war. The only old volume remaining contains the following: (1) Deed, Nov. 7, 1715, from William Epes and his wife, Sarah, of Westover parish, Prince George, conveying 100 acres, which was part of a tract formerly belonging to Caesar Wallpole, and by his will given to his children Richard and Sarah Wallpole, the latter the wife of Wm. Epes (Richard Wallpole and Ellen, his wife, of Westover parish, Prince George, made a deed Feb. 1713-'4, and on April 16, 1718, the inventory of Richard Wallpole was recorded). (2) Will of John Epes, of Westover parish, Prince George: to son John Epes 60 acres in Camm's Level; son Nathaniel 50 acres on Cattail Run; son Thomas the remainder of his land; rest of estate to be divided between his six children; proved June 1718. (3) Deed June 11, 1722, from Mary Epes, widow, of Charles City county, to Wm. Epes, of Prince George, being part of a tract patented by her. (4) Similar deed to Edward Epes, of Prince George. (5) Deed from Mary Epes, of Charles City, widow, to her son Wm. Epes (spoken of elsewhere in the deed as one of her sons), of Prince George, conveying (but reserving to herself the use during life) a tract of land on the south-side of James and Appomattox Rivers, beginning at a pine on the bay below the mouth of Appomattox, thence south [&c.], thence down Poulton creek to James river, and up James river 222 poles to the City Point, thence up the river 186 poles [&c.], containing 184 acres; June 12, 1722. (6) Deed from Mary Epes, widow, of Charles City county, to her son Francis Epes, of Charles City, conveying (with certain reservations to herself and sons John and Thomas, who were to be allowed to get firewood for the several plantations in Shirley Hundred Island), 300 acres on the south-side of James and Appomattox or Prince George county, beginning at a tree on the bay below the mouth of Appomattox, and adjoining the lands of sons William and Edward Epes; June 11, 1722. (7) Inventory of Wm. Epes, deceased, April 1727.

(The lands conveyed by Mary Epes appear to be the same owned by the late Dr. Richard Eppes, of City Point, who also owned Eppes' Island, the present name of Shirley Hundred Island.)

There is recorded in Surry a suit, March, 1680, by Jno. Eppes, administrator of Colonel John Epes, deceased. Also a deed dated 1740, reciting that Sarah, wife of Francis Eppes, of Prince George, was a daughter of Robt. Hamblin [Hamlin] and Ann his wife. The will of Martha Edwards was dated June 12, 1773, and proved Nov. 23, 1773, in Surry, Legatees: Mother Sarah Eppes; brothers, Francis and Peter Eppes; brother Hamlin Eppes and his daughters Sarah and Martha; sister, Betty Jones and her daughter Frances Jones; sister, Mary Branch; sister, Rebecca Royal; sister, Lucy Royal; nephews, Frederick and Cadwallader Jones; nieces, Ann and Martha Jones; niece, Martha Eppes (daughter of Frances Eppes); niece, Martha Eppes (daughter of Peter Eppes); nephew, Wm. Edwards; friends, John Harris and Nicholas Faulcon, Jr.

The will of Daniel Eppes, was dated Sept. 10, 1749, and proved in Surry Jan. 16, 1753. Legatees: wife, Mary; son, Edmund [or Edward]; daughters, Eliz. Knight and Mary Tatum; grandson, Daniel Tatum.

The family of Epes, of Nottoway county, descend from Colonel Peter Epes, of "High Peak," Prince George county, an estate not far from City Point, who was member of the Prince George county Committee of Safety 1775, and sheriff 1779; and his brother, Francis Epes. There can hardly be a doubt that they were the brothers named in the will of Martha Edwards (*ante*).

Colonel Peter Epes married Mary Poythress, and had issue: I. William, married Mary Batte; II. Francis, member House of Delegates from Lunenburg 1798-1800, married Sally Williams; III. Peter, married Rebecca Cross; IV. Richard, sheriff of Nottoway 1824, married Martha G. Williams; V. Sally, married Isaac Oliver; VI. Susan, married John Eppes; VII. Ann, married first, Charles Connor, for many years M. C. from North Carolina; and second, — Byers; VIII. Mary, married John Doswell.

Wm. and Mary (Batte) Epes had issue: I. Robert Francis, of "Hopewell," married — Marks; II. Dr. John Spooner, married —, and had Robert, who married — Kevan, and had one son; III. Mary, married John B. Bland; IV. Robert, married first, — Green; second, Laura Harrison.

Robert F. and — (Marks) Epes had: I. Daughter, married John Peterson, Jr.; II. Daughter, married L. A. Marbury.

Robert and Laura (Harrison) Epes had: I. Mary, married Theoderick Bland; II. Rosa; III. George.

Francis and Sally (Williams) Epes had: I. Peter; II. Francis; III. Thomas W., father of Dr. A. S. Epes, Nottoway C. H., surgeon C. S.

A.; IV. Mary Poythress, married Putnam Stith; V. Martha, married Maclin Stith; VI. Elizabeth, married Peter Epes; VII. Adeline, married Daniel H. Robertson.

Peter and Rebecca (Cross) Epes had: I. John Cross; II. Francis Washington; III. Peter; IV. Junius; V. Rebecca, married first, — Jones; second, Charles Smith; VI. Virginia, married Colonel W. H. Hatchett; VII. Mary Poythress, married Daniel H. McCormick.

Richard and Martha E. (Williams) Epes had: I. William, married Lucy J. Epes; II. Peter, married Martha C. Oliver; III. Mary Elizabeth, married Llewellen Jones; IV. Catherine, married P. J. Grigg; V. Sally, married Dr. L. L. Taylor; VI. Martha Ann, married W. T. Jolly.

Peter and Martha (Oliver) Epes had: I. Mary Helen, married Dr. W. J. Harris; II. Richard, long clerk of Nottoway county, married Agnes Atkinson, daughter of Judge Peter Poythress Batte, of Prince George, and had (with others) Sydney P. Epes, now register of the State Land Office; III. Isaac O., married Rosalie, daughter of Harry S. Beverley; IV. Matilda, married Wm. R. Bland; V. Andrew J., unmarried.

Francis Epes, brother of Colonel Peter Epes, was probably the Francis Epes, Jr. (or Eppes, as it is spelt in the Journal), who was elected Sergeant at Arms of the House of Burgesses in 1752, and was Sergeant at Arms of the first House of Delegates in 1776, with his son, Freeman Epes, as deputy. He had issue the following sons (at least they were certainly first cousins to the children of Colonel Peter Epes): I. Colonel Freeman, of Nottoway county, county lieutenant 1789, &c., and member of the House of Delegates 1798-1800; married —; II. John, married, first, Rachel Williams, second, Frances Campbell; III. Captain Thomas, married — Williams.

Colonel Freeman and (—) Epes had issue: I. Martha, married, first, — Jones, second, Dr. A. A. Campbell; II. Susan, married, first, Dr. John Paterson, second, Dr. John Robinson; III. John, married — Wills and had Lucy J., married, first, William Epes, second, Dr. W. H. Patillo; IV. Hamlin.

John and Rachel (Williams) Epes had: I. John; II. Mary; III. Rachel; IV. Grace, married Colonel Cowan. John and Francis (Campbell) Epes had: V. Elizabeth, married Richard Jones; VI. Frances, married Rev. Theoderick Pryor; VII. Travis H., member of the House of Delegates from Nottoway 1833, 1834, married Elizabeth Jones; VIII. Thomas Freeman, married, first, Jaqueline S. Hardaway, second, Rebecca Dupuy.

Travis H. and Elizabeth (Jones) Epes had: I. John Freeman; II. Branch J., captain artillery, C. S. A., now judge of Dinwiddie county; III. Travis Edwin; IV. Almont; V. Hamlin H.; VI. Peter Batte; VII. John M.; VIII. Watkins Leigh; IX. Fanny, married Richard Shrieve; X. Mary Jones, married Dr. J. H. Hardaway.

Thomas Freeman Epes had: I. James F., member of Congress; II. Fanny Harris; III. Freeman; IV. John S.; V. Rev. Theoderick P.

Captain Thomas and — (Williams) Epes had: I. William D.; II. John Freeman; III. Roper; IV. Francis; V. Lettice, married Thomas E. Scott; VI. Catherine, married William B. Green. Captain Thomas Epes married, second, Mrs. Jones, widow of Archer Jones, and had: VII. Richard S.

An old emblazoning in the possession of a descendant of Hon. John W. Epes, has the following arms and crest: *Per fesse, gules and or, a pale countercharged, three eagles displayed of the last; crest: on a chaplet vert, flowered or, a falcon rising, of the last.* The writer has been informed that seals attached to old deeds in the possession of the late Dr. Richard Epes, of City Point, bore the same arms. They are the arms ascribed by English heraldic writers to "Epes or Epps of Canterbury, Kent."

(251) HUGH COX, 500 acres in Charles City county, between King's Creek and the land now in the possession of Walter Ashton (Aston) [1]; granted to him, the said Hugh Cockes, by order of court, dated December 6, 1634. Patent dated December 27, 1635. By West. Head rights: Hugh Powell, Henry Crosby, Henry Pattison, Henry Collins, James Fowler, Robert Morris, George Browning, Peter Holloway, Asher Joy, Francis Harper.

NOTE.

[1] Walter Aston had a grant, August 12, 1646, of 1,041 acres on Kimages Creek, Charles City county, part of which he had purchased in 1634. His wife is named in the patents Warbrow or Norbrow, and he married secondly, Hannah —, who appears to have afterwards married Colonel Edward Hill. He was a justice and lieutenant-colonel, and was Burgess for Shirley Hundred Island 1629-'30, both Shirley Hundreds, the Farrar's and Chaplain's, February, 1631-'2; Shirley Hundred Island and Cawsey's Care, September, 1632, and February, 1632-'3, and Charles City county 1642-'3. He had issue: I. Susannah, relict in 1655, of Lieutenant-Colonel Edward Major; II. Walter; III. Mary, married Richard Cocke, who died before 1666; IV. Elizabeth, married — Binns. The will of Walter Aston, Jr., of "Cawsey's Care," is in the Byrd Land Book, in the Virginia Historical Society Collections. The Visitation, of London, 1634, gives, among the sons of Walter Aston, of Langdon, Staffordshire, the name of "Walter Aston, now in the West Indies." As this name was frequently given to Virginia, there can hardly be a doubt that this was Lieutenant-Colonel Walter Aston. A tomb in the old Westover churchyard bears the following inscription:

“ Here Lyeth interred the body of leftenant
Colonell Walter Aston who died the 6th
April 1656. He was Aged
49 years And
Lived in this county 28 years
Also here lyeth the Body of Walter Aston
the son of Leftenant Collonel Walter Aston
who departed this life ye 29th of Ianuair 1666
Aged 27 yeares and 7 monthes.”

See *William and Mary Quarterly*, January, 1896.

(252) THOMAS GRAY [1], 550 acres in the county of James, on the south side of the river over against James City; adjoining his own land and Captain Perry's, and running along Rolfe's Creek & bounded by Cross Creek, &c.—due 100 acres to him as an ancient planter “ in or before the time of Sir Thomas Dale his government;” 50 for the personal adventure of Annis Gray, his first wife, 50 for the personal adventure of Rebecca [or Rebena], his now wife, and 350 for the transportation of his two sons, William and Thomas Gray, and five servants, Jon. Bishopp, Robert Browne, Robert Webstie, Luke Mifle, and Jon. Bauchees. August 27, 1635, by West.

NOTE.

[1] THOMAS¹ GRAY was born ———, came to Virginia in ———, and patented land at Gray's Creek, in the present Surry county, in 1635, 1639, and 1642. There is in Surry a deposition of Thomas Gray, Sr., March 4, 1653, aged about 60 years. He had issue: 2. *William*,² 3. Thomas,³ *d. s. p.* before 1677; 4. Francis.⁴ There is on record in Surry a deed, dated November 9, 1658, from Francis Gray to his brother, Thomas Gray. Captain Francis Gray made a quit claim deed to Nathaniel Stanton, dated November 16, 1661. He was probably the Francis Gray who had a grant in Charles City county (within the present Prince George) in 1653; was appointed (as Captain Francis Gray) justice of Charles City 1660, and was Burgess for that county 1666. Mary Gray was granted administration on the estate of her husband, Francis Gray, dec'd, May 27, 1679, Surry. 5. Jane,⁵ married John Hux; 6. John,⁶ of Surry.

2. WILLIAM² GRAY, in 1677, made a deed with his brother, John Gray, as heirs of their brother, Thomas, deceased. He made a deed, dated March 5, 1688–9 (from William Gray, of Lawne's Creek parish, Surry), to Robert Canfield, conveying the tract of land where said Gray lately lived, called the sunken marsh, containing 680 acres, 494 acres part thereof having been purchased from William, son of Thomas Harris, late of this parish, deceased, and the remainder by patent. Elizabeth Gray,

his wife, joins in the deed. He was possibly the William Gray, of Surry, whose will was proved in 1719.

William Gray was appointed justice of Surry December 20, 1710, was sheriff 1718 and 1719, and was member of the House of Burgesses (sometimes called William Gray, Jr.) in 1710, 1712, 1713, 1714, and 1715 (*Surry Records*). His will was dated June 3 and proved November 18, 1719; legatees: sons, William and Gilbert, daughters, Mary and Priscilla Gray and Judith Ruffin, grandchildren Wm. and Elizabeth Andrews; son William's sons William, Robert, Joseph and Thomas; son Gilbert, executor.

The will of Gilbert Gray, was dated April 8, 1758, and proved in Surry, Dec. 18, 1764. Legatees: son, Joseph; daughter, Elizabeth, wife of Matthias Marriott; daughters, Sarah, Mary and Lucy Gray; sons, James and John, and wife Margaret.

The will of Margaret Gray was dated June 27, 1767, and proved in Surry Nov. 17, 1767. Legatees: daughter, Lucy Gray; sons, John and James Gray, and daughter, Mary Clinch.

The will of Wm. Gray (son of Wm. Gray, whose will was proved 1719) was dated March 10, 1731, and proved in Surry June 16, 1736. Legatees: sons, William, Robert (to whom he gave the land he bought from her brother, Gilbert Gray), Joseph, Thomas, Edmond and James, daughter Lucy, wife of Howell Briggs, and wife.

A William Gray was Burgess for Surry 1723 and 1726. In 1737 "Mr. Wm. Gray, of Surry," married Elizabeth, widow of Wm. Chamberlayne, of New Kent (*Va. Gazette*), and removed to that county, where he was appointed a justice in 1742. In 1739 he patented 5,800 acres in Goochland.

A Wm. Gray was a Burgess 1744. One of the sons of the name, mentioned in the wills of Gilbert or Wm. Gray, was doubtless Col. Joseph Gray, of Southampton county, who was Burgess for that county 1744, 1755, 1756, 1757, 1758, 1762, 1767, 1768, 1769, and doubtless other years. He is believed to have been the father of Col. Edwin Gray, of Southampton, Burgess 1769-1774, member of the Conventions of 1774, 1775, 1776, and of the House of Delegates and State Senate, and M. C. 1799-1813. John C. Gray was member of Congress 1820-'21, and of the House of Delegates from Southampton 1823; died May 18, 1823; aged 40.

The will of James Gray was dated February, 1788, and proved in Surry, June, 1788. Legatees: wife, Sarah; sons, Josiah, James, Nathaniel; daughters, Sarah, Mary Davis, and Ann, Elizabeth and Susanna.

The will of Mary Gray was dated March 31, 1756, and proved in Surry about 1757. Legatees: Lucy, wife of Howell Briggs; granddaughter, Elizabeth Rose; son, Edward Gray, son, Francis Gray, sons, Wm. Seward, Robert, and Joseph Gray.

The will of Henry Gray was dated October, 1773, and proved in Surry January, 1774. Legatees: sons, Henry, Joseph, Thomas, William, and Jesse; daughter, Martha Gray; wife, Sarah.

The will of Robert Gray was dated April 7, 1777, and proved in Surry February 23, 1779. Legatees: sons, John, Samuel, and Harry; daughters, Hannah and Jean Gray; daughter, Martha Thomas; wife, Martha.

(253) HENRY HARTE, 350 acres on the south side of the main river over against James Town Island, called the "Pyne poynt," adjoining Captain Powell's land and that of James Long; 50 acres due for his own personal adventure, 50 for the personal adventure of his wife, Rebena [or Rebecca], and 250 for the transportation of 5 persons: Richard Nullbourne, Jon. Cooper, Henry Drew, Samuel Eaton, James Swift. August 1st, 1635. By West.

(254) WILLIAM GANY [1], 1215 acres in Accomack on the north side of Hungars Creek, adjoining the land granted to William Andrews, and abutting westerly on the bay; due, 50 acres for the personal adventure of his wife Ann Gany, 100 for the personal adventure of his children, Wm. Gany his son, and Ann Gany his daughter; 50 for the personal adventure of his brother Henry Gany, and 1050 for the importation of 21 servants (names below). September 17th, 1635. By West.

Edward Stockden, Roger Fearbrace, Jon. Collins, Thomas Collins, Samuel Woots, Jon. Hedler, Jon. Pullapin, Robt. Browne, Thomosin Lux, Anthony a negro, Jon. Wright, Nicholas Clarke, John Hether, Thos. Savage, Eliza Browne, Wm. Baldwin, Jon. Sparkes, Jon. Evans, Nicholas Jordon, Wm. Cole, Tymothy Joanes.

NOTE.

[1] Wm. Gany lived in Elizabeth City in 1624, aged thirty-three years. He had come in the George in 1616; his wife, Ann, was then (1624) aged twenty-four, and had come in the Bona Nova in 1620; their daughter, Ann, was born in Virginia before 1623. Henry Gany, aged twenty-one in 1624, came in the Dutie in 1619, and appears in the "muster" of Francis Mason, in 1624, as one of his servants. Alice and Margerie Gany were head rights in a grant to Francis Mason in 1642. It appears that Mason and the Gany's were probably related.

GENEALOGY.

GENEALOGY OF THE COCKE FAMILY OF VIRGINIA.

PREPARED BY JAMES C. SOUTHALL.

RICHARD COCKE OF HENRICO—HIS DESCENDANTS.

I. RICHARD COCKE,¹ born about 1600; died 1665. Married twice. Name of first wife not known; married, second, Mary Aston. Children by both wives. Was County Commandant or Lieutenant-Colonel of the county of Henrico. Was a member of the Grand Assembly or House of Burgesses, 1632, from Weyanoake, and in 1644 * and 1654 from Henrico. His relative, Thomas Jordan,† represented Warroquyoake in the Assembly of 1632. Another member at this time was Walter Aston (Ashton), who was the father of Mary Aston, Richard Cocke's second wife, as mentioned above.‡ Another member of this Assembly was

* The presence of Richard Cocke in this Assembly was inadvertently overlooked in referring to the matter in our article in the January number. The record is wanting from 1632 to 1644 except for one year. In the year 1655, having been appointed sheriff, he resigned his seat in the House of Burgesses. We take occasion also to mention that the first land patented by Richard Cocke (3,000 acres in 1636) was for the bringing over of sixty persons, a list of whom is given in the books of the Land Office, and among them is the name of *Margaret Powell*, a fact to which we shall advert again hereafter.

† In the will of Richard Cocke there is a legacy to his "cousin Daniel Jordan."

Samuel Jordan was a member of the first Legislative Assembly in Virginia from Charles City (1619); his plantation was called in the alliterative style of that day 'Jordan's Journey.'

Thomas Jordan was Burgess for Isle of Wight 1629, 31, 32. Richard Jordan was a Burgess in 1676 and sheriff of Nansemond in 1718.

George Jordan was a Burgess from James City county in 1644.

The name Jordan was also a prominent one at the beginning of the eighteenth century in Bristol Parish (Prince George). Dr Slaughter writes: "The representative names" [in this parish] "were Wood, Jordan, Poythress, Wynne, Hatcher, Cocke, Hamlin, Eppes, Bolling, Bland, Jones, Randolph, Kennon, Bott, Batts, Gilliam, Walker, Munford, &c.," p. 121.

‡ Lieutenant-Colonel Walter Aston (his tomb is at Westover) was in the House of Burgesses for Shirley Hundreds and Charles City in 1629-30, 1631-32, 1632, 1632-3, and 1642-3.

When Richard Cocke died, Mary Ashton married, second, Colonel Edward Hill, of Charles City, a very great man in that day. His descendants owned "Shirley," on James River, and intermarried with the Carters [Hill Carter]. About 1750 one of the Bowler Cokes married the daughter of Colonel Edward Hill, the widow of Colonel John Carter, of "Corotoman."

There were Ashtons in the 17th century also in Elizabeth City and Northumberland

John Smith, who represented Smythe's Mount and Peryces Point. He was probably the ancestor of Obadiah Smith, who married Mary Cocke,³ daughter of William Cocke,² about 1685-'90.

The will of Richard Cocke¹ is on record in Henrico County Clerk's Office, and bears date October 4, 1665. The witnesses are Henry Randolph* (then clerk of the House of Burgesses) and Henry Isham.

He left issue, five sons and one daughter: 1. Thomas;² 2. Richard;² 3. John;² 4. William;² 5. Richard² "the younger;" 6. Elizabeth.²

"In the name of God Amen" (his will commences), "I Richard Cocke, Sen'r, being at present in perfect health and memorie for which I render hearty thanks to Almighty God my Creator, yet considering the uncertainty of this transitory life I have therefore for the peaceable settling that little Estate God in his Goodness hath given me made and ordained this my last will and testament hereby revearsing all former wills at any time made by me. Imprimis. I beg to bequeath my soule to God that gave it trusting in the meritts of my Redeemer to obtaine a joyfull Resurrection"—and his "body to be Interred according to the usuale Solemnities of the Church of England."

He devises and bequeaths one-third of his estate to his wife for life. He divides his lands among his sons—some 600 acres to each of his sons and £100 to his daughter, and divides his personalty equally among his children (except two negroes and some cattle, &c., given Richard, Sr., by his mother).

He devises some land to his cousin Daniel Jordan.

And appoints his son Thomas to see after "the mill" for the use of his younger brothers and sisters, for which he was to be paid "three thousand pds. of tobacco and caske p. Annum" (equal to about \$700 a year at present).

We notice his children in order:

II. THE CHILDREN OF RICHARD COCKE.¹

I. THOMAS COCKE,² [styled of "Pickthorne Farm," Henrico], born

In 1655 Peter Ashton was a Burgess from Elizabeth City, and in 1658 from Northumberland, and is called "Colonel Ashton."

The tomb of Colonel Henry Ashton, 1731, is in Westmoreland, with family arms.

Brown (see *Genesis of United States*) affirms that Lieutenant-Colonel Walter Ashton was a cousin of Sir Walter Ashton, Lord Ashton, of Forfar, in Scottish Peerage, who was Ambassador to Spain, 1635.

* This is a different line from William Randolph of "Turkey Island," who did not come to Virginia till 1674. He was Wm. Randolph's uncle.

Captain Henry Randolph came over in 1637. In 1656 he was clerk of Henrico county. In 1660 he was made clerk of the House of Burgesses. In 1665 William Tanner or William Randolph was clerk of Henrico. In 1678 William Randolph was clerk. In 1683, Henry Randolph. In 1693-1707, James Cocke.

In 1679 Peter Field was guardian of Henry Randolph, aged 13.

1638, died 1696. Married, 1663, Margaret Jones, widow, and mother of Major Peter Jones, founder of Petersburg.

Both Thomas Cocke² and Richard Cocke² were Justices of Henrico in 1678 and 1680, and in the last-named year Thomas Cocke was also sheriff of the county, and in 1680 he was coroner. The office of coroner at that time seems to have been a prominent one. He was sheriff also in 1688.

In 1689 Thomas Cocke² deeds 625 acres of land to William Randolph (very probably Turkey Island).

In 1681 Thomas² and Richard² own a Ferry and an "Ordinary" at the courthouse (Varina).^{*} It was still "Cocke's Ferry" in 1810.

Thomas Cocke² left six children: Thomas,³ Stephen,³ John,³ James,³ Agnes,³ and Temperance.³

COUNTY OFFICES.

There was a military establishment in all of the counties, and he was called Captain Cocke, a title which his son, Thomas,³ bore after him.

Like his father, as we learn from the *Henrico Records*, he was a member of the House of Burgesses in 1679, and it is probable that he was a member between 1680 and 1697. From 1660 (after the restoration of the Stuarts) to 1776 there was no election of Burgesses, and afterwards there is no list of Burgesses until 1702.

We mentioned in our previous article that his son, Thomas Cocke,³ was one of the Burgesses from Henrico in 1702. We have ascertained since the writing of that article that the county of Henrico was represented in this Assembly in the year 1698-99 by Thomas Cocke³ and his brother James Cocke.³ It is probable that they were members of the body in other years of which we have no record.

HIS WILL.

The will of Thomas Cocke² was probated April 1, 1697. It appears that he lived at "Malvern Hills." [His father had lived at Bremono (probably an Indian name), which his brother, Richard,² inherited.]

For those days he was quite a wealthy man, and left a considerable estate—including the advancements made to his children, some 5,000 acres of land, the home-place, "Malvern Hills," having on it a flour-mill and two tanneries. This was of course the mill that had been owned by his father prior to 1665, and was undoubtedly one of the first mills erected in the Colony.

TANNERIES.

Besides the mill, he owned, as stated, two tanneries, and he mentions

^{*} The first Colonel Edward Hill was owner of an "Ordinary" in Charles City county, and there is complaint against him for his exorbitant charges.

by name one of his tanners whom he bequeaths to his son James. He owned another mechanic (Jack Long) at the mill, whom he leaves "with all his tools" to his son, Stephen (probably a cooper).

MANUFACTURES LINEN CLOTH.

In 1693 the Assembly offered a reward for specimens of linen cloth of home manufacture—800 pounds of tobacco for that of the first quality. In 1695 this amount was paid to Thomas Cocke for such a piece of cloth, fifteen ells in length and three-quarters of a yard in width. (See Bruce's *Economic History of Virginia*, ii, 459.)

Thomas Cocke^a and his brother, William Cocke,^a both owned looms also, and manufactured woolen cloth (see Bruce ii, 470), and in his will Thomas Cocke bequeaths to his daughter, Agnes Harwood, a mulatto girl (whom he enjoins was to be tenderly treated, she having waited on him in his sickness), with a weaver's loom "and all the stages and harness" thereunto belonging.

Among his slaves were some four or five Indian girls.

He leaves a legacy of 1,000 pounds of tobacco "towards purchasing a bell for the Church."

He makes several special legacies of horses.

His son, James, and his wife are his executors, and the will is sealed with red wax, as was the will of Richard Cocke,¹ (implying arms).

VALUE OF HIS ESTATE.

The estate left by Thomas Cocke^a amounted to about \$75,000 in present figures. His land (5,000 acres), including the improvements, dwelling, mill, tan-yards, tobacco houses, orchards, gardens (all referred to in his will) must have been worth at least \$1 an acre, and estimating that £1 went as far in 1690 as £9 in 1896, the landed estates must have been worth \$45,000, and the personalty must have amounted to £1,000, or some \$30,000.

During the same period (see Bruce, ii, 251) in Henrico county the appraisement of Francis Eppes (who also owned a store) was £600; of Thos. Osborne, £208; John Davis, £250.

In York county, 1672-'90, the largest personalty is £642 (James Vaulx). The next highest are £455, £355, £235, £220. Nathaniel Bacon (1690-1700) is rated at £925.

The highest personalty in Elizabeth City, 1690-1700, was £282 (Wm. Marshall).

Colonel John Carter, Sr., in Lancaster, is rated at £2,250, and Robt. Beverley, in Middlesex, at £5,000.

There is an advertisement noticed in the old county records in which Thomas Cocke offers land for sale or rent. From the land-books we

learn that he patented some 5,100 acres of land in Henrico and Charles City county in 1675.

Since this article was in the printer's hands we have seen the will of Margaret Cocke, widow of Thomas Cocke.² She did not die till 1718, surviving him over twenty years. We discover from the will that before marrying Thomas Cocke, she had been married to — Jones, and had three children, one of whom was *Major Peter Jones*, the founder of Petersburg, and after whom the town was named. It is the same family with Roger Jones, of Northumberland, and Lieutenant-Colonel Cadwallader Jones, of Stafford. On the register of Bristol parish, 1725, is the name "Cadwallader Jones, son of Peter Jones."

The executors of Margaret Cocke's will are Peter Jones and William Randolph. She leaves a negro girl to Mrs. Mary Randolph and a "mulatto boy" to her "godson William Randolph, son of William Randolph."

A COLONIAL PICTURE.

In an article on Racing in Virginia, Mr. W. G. Stanard (*Virginia Historical Magazine*, ii, 294), gives some interesting extracts from the *Henrico Records* about Thomas³ and Stephen Cocke³ in this connection in 1689. We have only room for one of them, which follows below :

In 1689 Thomas and Stephen Cocke were twenty-five and twenty-three years of age. In the will of this Thomas Cocke,³ who died 1707, he makes a reference to the "Race Paths" at Malvern Hills.

The following is a deposition filed in the *Henrico Records*, 1688-'97, p. 74:

"William Randolph, aged about 38 years, Deposeth: That about Saturday last was a fortnight this dep't was at a race at Mauvern hills at which time Mr. Wm. Epes and Mr. Stephen Cocke came to this depon't & desired him to take notice of ye agreement: w'ch was that ye horse of ye s'd Epes and ye horse of Mr. Sutton was to run that Race for ten shillings on each side, and each horse was to keep his path, they not being to crosse unlesse Stephen Cocke could gett the other Rider's Path at ye start at two or three Jumps (to ye best of this dep't's knowledge) and also that they were not to touch neither man nor horse, and they further desired this dep't to start the Horses, w'ch this dep't did and to ye best of this dep't's Judgment they had a fair start, and Mr. Cocke endeavored to gett the other rider's path as aforesaid according to ye agreement, but to ye best of this depon't's Judgment he did not gett it at two or three Jumps nor many more, upon which they Josselled upon Mr. Epes horse's path all most part of the race. And further saith not.

"WM. RANDOLPH."

Aug. 1, 1689.

RICHARD COCKE,² OF BREMO.

2. RICHARD COCKE,² the elder, of "Bremo," in Henrico. Born 1639; died 1706. Married Elizabeth ——. He seems to have been surveyor of the county, and was a member of the county court 1678, 1680, 1699, and probably during all of this period. The justices of Henrico at this time were: Richard Cock, William Randolph, Peter Field, Francis Epps, William Farrer, John Worsham, Thomas Cock (sheriff), Gile: Webb, Joseph Royall, John Bolling, James Cock,³ clerk court. In Charles City county, Robert Bolling,² whose son, Robert,³ married (1706) Anne Cocke, was sheriff. John Brasseur (Brazure—Mary Brazier married Thomas Cocke³), was a justice in Nansemond; Miles Cary in Warwick; Coll: Lemuel Mason (whose daughter married Captain Thomas Cocke) in Lower Norfolk; William Cocke in Surry.

The will of Richard Cocke² was admitted to probate December 2, 1706, and is witnessed by William Randolph and William Randolph, Jr., and certified by James Cocke, Cl. Cur. He left one son, Richard³ (who is his executor), and two daughters, Elizabeth³ and Martha³ (married to Joseph Pleasants, ancestor of Governor James Pleasants, and Miles Cary), and a number of grandchildren. He leaves an estate worth at present \$35,000.

The Cockes at this time were all nestled along Turkey Island Creek, Thomas,² Richard,² William,² Thomas,² and Stephen² on the north side of the creek in Henrico; Richard Cocke,² the younger, on the south side, at "Old Man's Creek," in Charles City county.

Henrico and Charles City counties originally lay on both sides of the river, including what are now Prince George and Chesterfield. Prince George was created in 1702.

The town of Charles City was what is now called City Point, at the mouth of the Appomattox, five miles below Henricus City in the remarkable loop of the river at Varina or Dutch Gap. In this neighborhood lived the Cockes, the Randolphs, the Ishams, the Bollings, the Eppes', the Pleasants', the Kennons, the Poythress', the Lignons, the Banisters, the Fields, the Jeffersons, the Royalls, the Davis', the Hardimans, the Jones' (the father of Major Peter Jones, the founder of Petersburg).

Immediately opposite Charles City, on the north side of the river, Turkey Island creek, about two miles in length, emptied into the James. It is the dividing line between Henrico and Charles City counties. Midway, on its north side, is Malvern Hills, which is separated from the river by the estate of Turkey Island (William Randolph's and afterwards owned by Bowler Cocke⁶). On the river above Turkey Island plantation was Curles, where James Cocke³ lived, and Bremo in a little loop (the river makes a tremendous bend) lies just between, about two miles from Malvern Hills.

Above Malvern Hills, on the creek, in the year 1700, were Stephen and William Cocke,³ and about half-way between the Malvern House and the head of the creek still stands the line of an old *dam*, where stood Thomas Cocke's mill. Half a mile still farther, at the head of the creek, Carter's Mill (Shirley) is still standing.

3. JOHN COCKE.² Born 1647; died—; married Mary Davis. There was a planter in Henrico county, at this time named John Davis, whose personalty was appraised in 1690 at £265, rather above than below that of the larger landholders in Henrico at this date. At the close of Dale's administration (1616) Captain James Davis had command of the colonists in Henrico. In 1619 Thomas Davis was a member for Martin-Brandon of the Assembly of 1619, the first that met in Virginia. William Davis was a member of the House of Burgesses from James City in 1642 and 1647. Captain James Davis died in 1657 at his plantation over against James City.

John Cocke³ was the progenitor of the Cox family of Chesterfield. (Judge James H. Cox was in the Legislature in 1840-'50, and a member of the Constitutional Convention of 1850 from the Petersburg District.) It was probably this family of Cox's that lived at Arrahattocks, near Dutch Gap.

There is no will of John Cocke on record, and we are ignorant of the names of his children. He was the godson of Walter Aston, and the first child of Mary Aston.

4. WILLIAM COCKE,³ born 1655; died 1693. He married first, Jane Clarke,* in 1678; and second, Sarah Flower,† about 1689. He left three children; William,³ Mary,³‡ and Elizabeth.³ This William Cocke³ was no doubt the William Cocke, whose daughter Sarah in 1723 married Captain Henry Wood.

5. RICHARD COCKE,³ the younger,§ settled at "Old Man's Creek," in Charles City county, left him by his father's will. The records of

*Jane Clarke was the daughter of Lieutenant-Colonel Daniel Clarke, of Charles City county, possibly the son of Captain John Clarke, "an Englishman by nation, a native of London, and of the same religion as his king" (See Brown); died in Va., 1623.

The *Henrico Records* mention a judgment against estate of Lieutenant-Colonel Daniel Clarke, late guardian of Lieutenant-Colonel Richard Cocke's orphans, for £500 sterling, 1686.

†Sarah Flower was of James City county. In the "William & Mary Quarterly" for April, 1894, page 1, is an epitaph from a tomb in Gloucester county (Abingdon Parish), the grave of Jeffrey Flower, who died in 1726. The arms of the family are on the tomb, and are "those of Flower, of Chilton, county Wilts. Sa. a unicorn pass., or on a chief ar."

‡This Mary Cocke³ married Obadiah Smith, and these were the parents of Obadiah Smith, of Westham, Chesterfield county, whose daughter, Lucy Smith, was the second wife of James Powell Cocke.⁶

§It was not unusual in those days for brothers to have the same Christian name.

Charles City county (like those of James City) were mostly destroyed by the Federal soldiers in the late war, and we know almost absolutely nothing about this youngest son of Richard Cocke.¹ There is good reason to conjecture that he may have been the father of Anne Cocke,² who married Robert Bolling, of Charles City, in 1706, and became the maternal ancestor of the line of the Petersburg Bollings.

There was a Littlebury Cocke, a justice of Charles City, in 1768; an Acrill * Cocke, a Bolling Cocke, and an R. Cocke Tyler in the same county in 1790-'93.

6. ELIZABETH COCKE.³ We know absolutely nothing of her—save an entry in the *Henrico Records*, 1678, that "Elizabeth Cocke, Mary Randolph, and Anne Isham are witnesses to Eliz. Eppes' will."

ADDITIONS AND CORRECTIONS.

BRISTOL—Page 286, January number of Magazine, second paragraph, it is stated that "all these families lived near Bristol." In illustration we may refer to Mr. Bruce's recent work on the *Economic History of Virginia*, i, 384. He has the statement that in 1667 there were anchored in James River nine merchantmen from Bristol, two from London, and seven from other towns in England.

EARL SOMERS—Page 286 (January). After "CHARLES SOMERS SOMERS-COCKS," add "EARL OF SOMERS."

BELMEAD—Page 287. For "Bremo, in Powhatan," read "Belmead, in Powhatan."

BRICKS—Page 290. It is not true that there were no bricks in the country in the seventeenth century. Bricks were made in Virginia in 1609. The dwellings were generally—almost universally, except the chimneys—of wood; but the first story of all the houses at Henricus City was of brick, and there was a brick court-house in Middlesex, in Gloucester, and in James City counties. See *Bruce* ii, 134-44. The old colonial house at Malvern Hills is also of brick.

HOUSES OF THE SEVENTEENTH CENTURY, page 290. There is some very interesting information on this subject in Mr. Bruce's *Economic History of Virginia in the Seventeenth Century*, ii, 151-8.

Governor Berkeley's house (brick), 1645, at Green Spring, had only six rooms.

The house of Nathaniel Bacon. Sr., had five rooms, "an old and new hall," a kitchen, dairy, and storehouse. He was very rich. 1694.

Mrs. Elizabeth Digges, of York, (1690), who owned 108 slaves, lived in "six rooms and a cellar."

* William Acrill was a member of the Convention of 1736 from Charles City. His grandson, William Acrill, of Charles City, was in the Convention of 1776.

Major Robert Beverley, of Middlesex, 1687, had "a chamber, a second chamber above, a porch and hall, chamber, a dairy and kitchen and the overseer's room." He had forty-two negroes.

William Fitzhugh's house had twelve or thirteen rooms.*

SALARY OF THE COUNTY CLERK—Page 291. In the valuable book on the descendants of Roger Jones, Colonel Thomas Jones,⁴ clerk of Northumberland county, 1781, in a letter to Mr. Turberville, states that the office yielded him about £400 a year.

Page 292. **CONCERNING THE STATE CONVENTIONS AND GENERAL ASSEMBLY**, the statement about Bowler Cocke, Allen Cocke, &c., should be as follows :

In 1752 Lieutenant-Colonel Bowler Cocke⁵ was a member of the House of Burgesses, and in 1765, Bowler Cocke⁶ and Hartwell Cocke,⁶ of Surry, were members of that body.

In 1773 and 1775 Colonel Allen Cocke,⁶ of Surry, was a member of the House of Burgesses, and in 1776 he was in the State Convention.

In 1778 there was a Cocke in the Legislature from Washington county.

In 1786 Colonel Lemuel Cocke, of Surry, was a member of the House of Delegates.

In 1787-'8 John Hartwell Cocke,⁶ of Surry, was a member of the House of Delegates.

In 1788 John Hartwell Cocke,⁶ above-mentioned (son of Hartwell Cocke⁶ and father of General John Hartwell Cocke,⁷ of Bremono, Fluvanna), was a member of the Convention.

In the Journal of the House of Delegates for 1793 the name of Cocke occurs on a committee, as also in subsequent years in the Journal of the Senate and House of Delegates.

ENGLISH MERCHANTS OF THE SEVENTEENTH CENTURY—**RICHARD COX AND ANTHONY COCKE**—In the *Economic History of Virginia*, ii, 333-4, a list is given of the twenty-four English merchants who in the seventeenth century furnished the greater part of the supplies imported into Maryland and Virginia. Among them is the name of *Richard Cox*. This was no doubt the same *Richard Cox* who in the years 1609-20 was one of the Wardens of the Grocers' Company, in London, a member of the East India and Russia Companies, of the Virginia Company (paid £25), and chief of the first English factory in Japan. *Genesis of the United States*, ii, 856. Anthony Cocke traded with Middlesex.

We have recently obtained information of an important character about the Cockes of England (counties Durham, Worcester, Hertford,

* Mr. R. Heber Nelson, who lives near Malvern Hills, and whose grandfather, Robert Nelson, bought the Malvern Hills property from the Cocke family, informs us that the house here contains eight rooms (one added by his grandfather), with a hall through the centre and a side hall. The house is of brick, and there is a brick porch.

and Suffolk), who were all connected with each other, and with the Cockes of Henrico and Princess Anne and Middlesex, but shall have to defer a notice on the subject to our next article.

The earliest Cocke of whom we know anything in England was CAPTAIN WILLIAM COCKE, of Plymouth, county Devon, who fitted out a ship at his own expense, and "went out to fight the Spanish Armada" (1588), and was killed in the engagement. He was called "the Cock of the Game." Prince's *Worthies of Devon*.

(TO BE CONTINUED.)

GENEALOGY OF THE FLOURNOY FAMILY.

COMPILED BY FLOURNOY RIVERS, ESQ., PULASKI, TENN.

CORRECTIONS AND CORROBORATIONS—On page 90, July Magazine, 1894, and again on page 442, April Magazine, 1895, it is stated that the father of Mrs. Flournoy Rivers, Captain John A. Avirett, was a captain in 52d Alabama Infantry, C. S. A., when it should be 58th Alabama Infantry, C. S. A.

The statement on page 202, October Magazine, 1894, and page 68, July Magazine, 1895, that Mathews Flournoy, the Kentucky settler, emigrated from Virginia as early as 1760-65, is clearly wrong. That he went from Prince Edward to Charlotte county about this time is true, selling his lands in Prince Edward county as stated. By deeds of record at Smithville, Charlotte county, between January 7, 1768, and December 29, 1778, he acquired 881 acres, all on Ward's Fork Creek. By deed September 1, 1783, deed-book 5, page 64, he conveyed William Price 943 acres on Ward's Fork. At the January term, 1773, the county court granted him leave to erect a grist-mill on Murphy's Branch, and on August 3, 1784, he executed power of attorney to his brother, Thomas Flournoy, and his brother-in-law, William Booker, to prosecute suits, receipt for monies, etc.; deed-book 5, page 101. Between September, 1783, and August, 1784, he had probably prospected in Kentucky, and this last date doubtless shows his final removal. No marriage or will is of record there.

"Fort Leavenworth, Kansas," should be Leavenworth—page 443, April number, 1895—as the place of Lieutenant T. R. Rivers' marriage.

In line 18, page 74, July number, 1895, the letters "A. G. H." should be "M. W. H." (the Flournoy-Henrys); and on page 75, line next to

bottom, the birth of Dr. John Flournoy Henry is not January 17, 1783, but 1793.

On page 29, *Political Text-Book, 1860*, Thompson B., not "Francis B.," Flournoy was temporary chairman Democratic National Convention, Charleston, S. C., April 23, 1860.

Of the Middle Tennessee Flournoys, Silas F. left no will—January number, 1895, page 327—as the minute-book in our circuit court, 1821–26, shows suits revived by and against his sons, Alfred and William C., as *administrators*.

Research among the parish registers and vestry books at the Theological Seminary, Alexandria—the parishes, dates, &c., page 86, July number, 1895, reveals no Flournoy data.

The Vestry-Book of St. James, Southam, is said to be either at Powhatan C. H. or in the State Library.

The name of the Genevan herald, page 67, July number, 1895, is Mr. Adolphe Gautier. As to the correction in the Flournoy arms, page 323, January number, 1895, see *post*.

THE FLOURNOY ARMS.



Silver chevron on a blue field; accompanied above by two catkins of walnut of gold, and below by a walnut of same. Motto: *Ex Flore Fructus*, on scroll underneath.

A somewhat imperfect cut, made from a tracing of the lithographer's plate, is here presented.

The escutcheon will appear in the "Genevan Armorial. By J. B. G." "Galiffe, Adolphe Gautier, and Aymon Galiffe."

The herald does not know if there is a crest. His authorities are cited as the armorial manuscripts of the writers Grenus and Galiffe, the armorial of the Syndic Naville-Rillet and the armorial manuscript of the Syndic Pictet-Lullir.

Mr. Edmond Flournoy writes that after consultation with Mr. Gautier, the description on page 323, January number, 1895, is slightly erroneous, in that "en pal" should be "en pointe," in both descriptions.

Under date of June 26th, the herald writes: "According to what I have found in my notes, there are few families which show in their arms as many variations as yours, and here are such as I find marked in my memorandum-book and which will be entered in the catalogue of the future 'Armorial of Geneva:'"

"1. The chevron is indicated as possibly being of gold.

"2. The chevron also indicated as being accompanied by three nuts with stems and leaves.

"3. The catkins of walnut *may* also *be* of silver.

"4. D'après le cachet du Flournoy en 1660 le chevron est accompagné en chef de deux fleurs de noyer et en pointe d'une croisette pattée au pied fiché, au chef brochant chargé d'une croisette comme celle du champ, entre deux fleur de noyer. Les Émaux manquent, parce que à l'époque, on n'avait pas encore admis les trêchures pour les désigner.

"5. The nut is replaced by the third catkin of walnut (fleur de noyer)."

Mr. Gautier writes under date of July 5th: "If it were I who wrote the article about your family, here is how I should word it. I would design only one escutcheon, the one you copied from my 'Armorial,' and I should write: Flournoy: D'azur, au chevron d'argent, accompagné en chef de deux fleurs ou chatons de noyer d'or, et en pointe d'une noix de même. Devise: *Ex Flore Fructus*.

"Ces armes présentent plusieurs variantes, Savior; le chevron est aussi d'or; la noix est remplacée par un troisième chaton; sur un cachet d'un Flournoy fixé en Angleterre, le chevron est accompagné de trois noix tigées et feuillées, sans indication d'émaux; enfin, sur le plus ancien cachet dont on ait connaissance à Genève, et qui date de 1660, l'écusson porte, sans indication d'émaux, un chevron accompagné en chef de deux chatons de noyer, et, en pointe, d'une croix pattée au pied fiché, l'écusson lui-même étant chargé d'un chef portant une croix semblable à celle de la pointe, entre deux chatons de noyer."

To this Mr. Edmond Flournoy naively adds: "I think, too, that the design of Mr. Gautier, with these details, will suffice;" a rash supposition as far as my technical knowledge of the science goes, and hence a translation is not risked. The "Armorial" will be printed by April, 1895, and a copy, presented by Messrs. Theodore and Edmond Flournoy "as a souvenir from the Flournoys of Geneva to those of America," will be found for a time in the library of the Virginia Historical Society, where it may be freely consulted. Many interesting letters and pictures have recently been received, a family group of the Flournoy-Pozzy family of Trieste, Austria, letters from Mr. Eugene Flournoy, 14 Rue Royale, Nantes, France, etc., etc.

[TO BE CONCLUDED.]

THE CHAPPELL FAMILY.

Mr. Philip E. Chappell, of Kansas City, Mo., writes us as follows, as to the early history of the Chappell family in Virginia:

I have made some effort in the last few years to obtain information as to the early history of my ancestors in Virginia, but have, from the destruction of many of the county records, been only partially successful.

The data which I have gathered has been obtained from "Hotten's list of Immigrants," from the land records of Virginia in Richmond, from the partially preserved records of Charles City county, and from the old parish registers. It embraces the period extending from 1635 to 1700. All trace of the family has been lost from the latter date to 1746, when it is again found in Prince George county, to which county they had, doubtless, removed about the beginning of the eighteenth century.

In 1740 my great-great-grandfather Chappell (whose given name is unknown), I learn from a reliable manuscript which has come down in the family, was a merchant and Indian trader in the city of Petersburg. He died about that time, leaving a widow, whose name was Sarah, and six children, three daughters and three sons; the latter named Robert, James, and John, the last of whom was my great-grandfather. The widow remarried one William Crawley, between 1740 and 1745, and in 1746 removed, with her husband and Chappell children, to Amelia county. The records of Amelia county have been preserved and are complete. I examined them in 1893, and found there the wills of Sarah Crawley, her husband and sons, Robert, James, and John Chappell.

John Chappell, my great-grandfather, whom I will call No. 1, died in 1775, born in 1720, leaving five sons, one of whom was named John (No. 2), who was my grandfather. These sons, all except one, who died in Amelia, removed to Halifax county, Virginia, at the close of the Revolution (1782). My grandfather, John Chappell (No. 2), died in Halifax county in 1812, leaving two sons, the youngest (John, No. 3) who was my father, was born in 1788, removed to Missouri in 1836, where I was born the following year. My father died in 1860.

I have the wills of all of my ancestors as far back as Mrs. Crawley's (1746), and of course the genealogy of the family is complete and reliable from that date to the present time.

The data obtained from the records is as follows. From Hotten's List (including the period from 1635 to 1700):

"Captain John Chappell, of London, commander of the ship *Speedwell*, sailed from Southampton May 28, 1635, with sixty passengers, forty-nine men and eleven women, for the plantations of Virginia."

"Thomas Chappell; aged 23; sailed in the ship *America*, Captain Wm. Barker, from Gravesend, for Virginia June 23, 1635. Took the oath of allegiance."

"John Chappell, of Petherton, England; aged 38; sailed on the ship *Assurance* for the colony in Virginia July 24, 1635."

There is but little doubt that the family of Chappell, of the Colony of Virginia, was descended from one of these three. The following is obtained from the Land-books in Richmond:

Robert Chappell patented 100 acres of land January 26th, 1663, book 5, page 24.

Samuel Chappell patented 78 acres July 4th, 1664, book 5, page 24.

Thomas Chappell patented 80 acres October 20th, 1665, book 5, page 120.

Zachariah Chappell patented 175 acres April 6th, 1684.

Thomas Chappell, probably of the next generation, patented 423 acres April 20th, 1694. Thomas Chappell patented 994 acres (20 head-rights) April 25th, 1701.

Samuel Chappell patented 218 acres October 29th, 1696.

There were found in the eighteenth century, between 1720 and 1750, many additional entries, some of large tracts. Many of these were issued to John Chappell and James Chappell, who seem to have become large land owners. The latter was called in his patents "gentleman."

There may be other records of land patents of which I have no account.

Among the partially preserved records of Charles City county, the following fragment was found: "Att a Cor'tt holden in Westover April 9, 1661, Thomas Chappell acknowledgeth in Cor'tt to have received of James Wallis, who married ye relict of Lieut. John Banister dec'd, one legacy given by ye said Banister to ye said Chappell's child by will and discharged by ye said Wallis fully from ye bond, being three cows and one heyfer. It is ordered by ye Cor'tt that Thomas Chappell give bond to ye Cor'tt for ye cattle bequeathed to his child by ye said last will and testament of John Banister and by him received for her use." Order-book, page 271.

This is the only record found among the partially preserved records of Charles City county, I am informed, referring to any one named Chappell. The records have been almost entirely lost in that county.

Besides the above, the parish registers furnish some light as to the Chappell family in the Colony during that period.

The original register of Albemarle parish, Surry and Sussex counties, which I believe is on file in the Virginia Historical Society, at Richmond, refer to a family of Chappells, doubtless descendants of one of the immigrants of 1635, who lived in that parish between 1739, 1772. Among the names mentioned are James, Howell, Henry, John, Robert, Thomas, and Samuel. In the register of Bristol parish, Prince George and Dinwiddie counties, are found the following entries: "Ann, d. of Robert and Mary Chappell, b. Feb. 18, 1721; Absalom, son of Robert and Elizabeth (probably his second wife), b. May 6, 1729; Robert, son of Robert and Elizabeth, b. April 2, 1732." This Robert was probably a brother of my great-great-grandfather, who certainly lived in the same parish at the time these children were born. My branch of the

family, while evidently closely related to the Surry and Sussex branch, cannot from the dates have sprung from them.

The above is the only record I have been able to find in Virginia previous to 1746, referring to my ancestors, and they, while furnishing almost positive proof of our descent from John or Thomas Chappell, the immigrants of 1635, do not determine from which one we sprang nor the connection of the subsequent generations, previous to 1746.

The Chappells were numerous represented in England between 1500 and 1600. The name is often found in Northamptonshire, Rutland and Nottinghamshire, and several members of the family attained great eminence, among whom was one William Chappell, who was at one time Bishop of Cork and a professor of Cambridge. He was born in 1582, and died May 13, 1649. He had a younger brother named John who died before him, was buried at Mansfield, and left a family. He may have been the same John Chappell who was captain of the ship *Speedwell* in 1635. The father of these sons was named Robert. You will observe these family names John, Robert, Samuel, and Thomas. Names which have come down in the different branches of the family for three centuries and a half, and which are yet connected with the name "Chappell," as the favorite names, wherever it is found.

My theory is that the Chappells of the colony of Virginia, now a numerous family in the Southern States, all sprung from Thos. Chappell, the young immigrant of 1635, who came over in the *America*, and that he settled in Charles City county, which was organized the year previous. I also think he was the same individual referred to in the records of that county in connection with the legacy given his child by John Banister. It was probably his sons, Robert, Thos. and Samuel, who patented land from 1663 to 1665, and his grandsons, of the next generation, who patented lands at the close of the century (1694-1701) whose names also were Thomas and Samuel. I believe that among their sons was the Robert referred to in the register of Bristol parish, and the old merchant of Petersburg, who was my great-great-grandfather, the first husband of Sarah Crawley, whose will I found in Amelia county. I think, including Thomas, the immigrant, and the merchant of Petersburg, there must have been five generations from 1635 to 1740, a period of a century or more. There is no entry of land by any one named "John Chappell" in the seventeenth century, and for this reason it is probable that John Chappell, who came over in the *Assurance* in 1635, died without issue. It is not probable that the mariner, John Chappell, ever settled in the colony. He probably returned to England on his ship and died there; nor is there any evidence, so far as I can learn, that he ever made any other voyage to the colony than the one made in 1635.

This theory, as to the descent from Thomas Chappell, and that he

settled in Charles City county, are more than ever impressed on me from two statements I find in Bruce's *Economic History of Virginia in the Seventeenth Century*. On page 75, Vol. II, there is a reference to John Banister, who obtained head rights about 1643. This was probably the same Lieutenant John Banister, perhaps a kinsman, who left the legacy to Thomas Chappell's child.

Again, on page 521, Vol. II, it is stated that Wm. Barker, a mariner, obtained a patent in 1635 for 400 acres of land (eight head-rights) in Charles City county. It will be observed that Thos. Chappell came over in the same year on the same vessel, the *America*, of which Wm. Barker was captain, and it would seem located in the same county in which he (Barker) patented land. While Captain John Chappell, Thos. Chappell, and John, who came in the *Assurance*, were doubtless all of the same family in England, they may not have been closely related, or else they would not have come over, so near at the same time, in different vessels. I have given as briefly as possible all I know of the history of my people in the colony from 1635 to 1746. It is incomplete and not satisfactory, from the fact that owing to the absence of their wills and settlements of their estates no connection or descent from one generation to another can be traced, as it can be subsequent to 1746.

HISTORICAL NOTES AND QUERIES.

CHURCH BUILDINGS IN COLONIAL VIRGINIA.

(Contributed by Edward W. James.)

“Articles of Agreement made, Concluded and fully Agreed upon this first Day of Aprill, 1691, By and between Capt. William Robinson and Malachy Thruston, two Vestrymen of the parrish of Linhaven, By Vertue of an Order & request of a Vestry held at the said Parrish Church the 28th Day of March now last past for & in behalfe of the whole Parrish on the One parte, and Mr. Jacob Johnson of the parrish afores’d of the other parte Witnesseth—That the said Mr. Jacob Johnson doth hereby Covenant, promise & Agree to & with the s’d Capt. William Robinson and Malachy Thruston in quality or behalfe afore s’d to Erect, build & finish a good & Substantiall Brick Church for & in the parrish afore s’d on the Western Shore of Linhaven upon the plantacon Appertaining to Mr. Ebenezer Taylor neare the road towards the ferry in Such Convenient place as the s’d Mr. Jacob Johnson shall be appointed by the p’sons above s’d, the said Church to be fourty five foot in length and twenty two foot in breadth Cleare within the walls, and the walls to be thirteen foott in heighth from the ground to the plates, & brick gable Ends to the Ridge of the roofe & a brick porch ten foott Square proportionable. The Roofe of the Church to be Substantiall good framed worke with good princepull rafters and framed, Pur lines and good beams Suffaient to the same and to be tigte & Sufficently covered with good Oaken boards, the Inside of the Roofe from the wind^o beams to the plates well Sealed with good Sealing Oake boards Arch wise and whited with good white lime, and to have good & Suffaient lights of brick and to well glase them with good glass on each Side of the said Church and at the East End a good large window fitt & proportionable for Such a Church; And to find all things necessary & Expedient to the full finishing & Compleating of the said Church both In Side and Out side. The body of the said Church from the Doore at the west End to the Chancell to be well fitted with a Row of Pews on Each Side thirty foot, the other fifteen for a wainscott pew on Each Side and the rest for the Chancell with Benches necessary, and the Church to be well plaistered & whited within and a good Pulpitt on the north Side.

“The Said Mr. Johnson to have all things as he shall find Sound and good & Convenient to be made use of in the old Church to help furnish & finish the Church above mentioned. And the said Mr. Jacob Johnson is forthwith as soon as in reason & Conveniency he can to begin the

said Worke and the Same fully to finish, Compleate & End at or before the last day of March now next Ensuing which will be in the yeare of our Lord one thousand Six hundred ninety and two, 1692; or within three months after at farthest. ffor & in Consideration whereof the said Mr. Johnson is to be paid at the finishing thereof the Just full & Compleate Sum and quantity of good tobacco & Caske as hath or shall appeare to have been leavyed for and Expended upon the first building and Continuall repairing the Old Church now Standing from its first beginning to this Day, And the Same to be leavyed upon the whole parish and paid to the said Mr. Jacob Johnson proportionable in Each pr'cincts of the said parrish according to their number of tithables convenient to the River in each pr'cinct. And for the true p'formance of all & Singular the pr'mises and Articles, all the said p'sons in both parts as qualified afores'd Doe oblige themselves Each to other in the forfeiture and penalty of One hundred thousand pounds of tobacco and Caske to be paid by the Delinquent to the party grieved.

"In Wittness whereof We have hereunto Interchangeably Sett our hands & Seales the Day and yeare first above written.

"Before the Ensealing & Delivery hereof It is Concluded & agreed that there shall be twenty & five thousand pounds of the tobacco and Caske this next winter leavyed and paid the s'd Mr. Johnson or Ord'r in p'ts of the above worke.

JACOB JOHNSON,
WM. ROBINSON,
MALA THRUSTON.

"Sealed & Delivered in presence of

BENO. BURROUGH,
NICHOLAS HUGGINS,
HENRY H. WALSTONE.

"Mr. Jacob Johnson in Open Court Owneth this to be the Agreement between him and Capt. Wm. Robinson & Mr. Malachy Thruston in behalfe of the Vestry about his building the Church, And It is Ordered to be Recorded this 9th Sep'r, 1698."

WILL OF AN ANCESTOR OF WASHINGTON.

(Contributed by A. C. Quisenberry.)

In the name of God, Amen! The third day of September Anno Dom., 1684, and the six and thirtieth year of the Reign of our Sovereign son, Charles the Second, King of England, &c., I, Thomas Pope, of the parish of Philip and Jacob, in Bristol, merchant, being now bound on a voyage to sea, considering with myself the certainty of Death and the uncertainty of the time thereof, and more especially the casualties and Dan-

gers at sea and being Desirous to settle my Estate which Almighty God hath lent me, in this life Whilst I am in perfect mind and memory, and before my Departure, that the same may be enjoyed after my Death in peace and Quietness according to my true intent and meaning, do therefore make and Ordain this my last Will and Testament in manner following, That is to say,

Imprimis. I give, devise and bequeath unto my well beloved wife Joanna for and during the Term of her natural life my Message and Tenement called Noble's Corner, and all the lands and tenements thereunto belonging, situate in Barton Begs, in the county of Glost.

Item. the Reversion and Inheretance of the same Message and Tenement Lands and premisses Immediately from and after the Decease of my said wife I give and Devise to my two sons Charles Pope and Nathaniel Pope and their heirs and assigns forever Equally between them as tenentes in Common.

Item. I give and Devise to my son Thomas Pope and the Heirs of his body lawfully to be begotten all that my plantation with the land, servants, cattle, stock, and appurtenances thereunto belonging, situate and being at or near Pope's Creek in Westmoreland in Virginia, and for want of such issue I give and Devise all the same plantation and premises last mentioned to my two sons Charles and Nathaniel and their Heirs and assigns forever Equally between them as tenentes in Common thereof.

Item. I give and devise all that my other Plantations Commonly called the Clifts Plantation* situate and being in the county of Westmoreland in the Pertomac River in Virginia aforesaid, and all the lands, servants, cattle, stock and appurtenances thereunto belonging unto my two sons Richard Pope and John Pope, their Heirs and assigns forever, but my will and meaning is that my said wife Joanna shall hold and be Endowed of one third part of both my Plantations and of all the lands, stock, cattle and servants to them and either of them belonging for the term of her natural life.

Item. I make my loving kinsman Mr. William Hardridge, Mr. Laurence Washington and Mr. John Washington, all of Virginia aforesaid, and the survivor and survivors of them, guardians and guardian of said sons Thomas, Richard, John, Charles and Nathaniel for the management of my Plantations and premisses in Virginia, to them Respectfully given and Devised, until each and every of said sons respectively shall attain to the age of 21 years, & my will is that the said William Hardridge, Laurence Washington and John Washington and the survivor and survivors of them shall from time to time receive, perceive and take rents issues and profits thereof until my said sons respectively shall

* Afterwards bought by Thomas Lee, who built upon it "Stratford" manor.—A. C. Q.

attain their respective ages of 21 years, and that they and the survivors and survivor of them shall from time to time ship and consign the receipts thereof to my said wife in England during her life, and in case of her decease to such other person or persons as shall be guardian or guardians of all or any of my children, sons or daughters, to be by her or them from time to time disposed of and laid out in and toward the better maintenance and education of all and every of my said children respectively until they shall respectively attain the age of 21 years, but still my will and meaning is that my said wife and her Heirs and assigns during her life shall hold and enjoy the said one-third part of my plantation lands and premisses, as above mentioned and perceive and receive and take the rents, issues and profits thereof to and for her and their own use and benefit. And I make ordain and appoint Richard Gotley and Charles Jones the younger, merchant, both of the city aforesaid, executors in trust of this my last Will and Testament, and to each of my aforesaid Executors and to each of my above named friends and trustees in Virginia I give twenty shillings a piece in token of my love, and I will that all my said executors shall with all convenient speed sell and dispose of all my goods, chattells, household stuffs, wares, merchandise and other personal estate or so much thereof as they and my said wife shall think fit and convenient, and to convert the same into ready money and therewith and with my ready money and debts and improvements and proceeds of what they shall not sell or convert, as aforesaid, in the first place to pay, saterfie and discharge my debts, funeral expenses and charges of probate of this my last Will and Testament, and all the rest and residue thereof I wholly give and bequeath to my said wife, and to my three daughters Mary, Elizabeth and Margaret, Equally to be divided between them, part and share alike, and my said wife her part and share thereof I will shall be presently paid unto her for her own use, and the part and shares in money of my said three daughters I will shall be from time to time put forth and continued at interest by the approbation and good liking of my said wife in the name of my said executors, to and for the use, benefit and behoof of my said three daughters and the survivors and survivor of them upon such good securities as can be gotten for the same whereon the said uses shall be mentioned and ye interest thereof shall be applied for and toward the maintenance and education of my said daughters until they shall respectively attain to their respective age of 21 years of age if occation shall require, otherwise to be put in the general stock for the increase thereof. And when and as soon as each of my said daughters shall attain her age of 21 years her part and share of money and of goods and chattells convarted into money shall be paid and transferred to her for her own use and benefit. And if any one or two of my daughters shall die before the others shall attain to the age of 21 years, I will that the whole shall go and be transferred to the survivor of them wholly, and to the survivors equally between them.

And lastly I revoke and make void all other wills and Testaments by me formerly made, and declare these presents contained in seven sheets of paper written on one side only to be my only last Will and Testament. In witness whereof I have to each of said sheets sett my hand and seal. Dated the day of the year first above written.

THOMAS POPE. [Seal.]

Signed, sealed and published by the abovenamed Thomas Pope to be his last will and testament, in the presence of us whose names at his request are subscribed.

JOHN CHURCHMAN,
WM. MIRDETH,
JOHN SELWOOD,
WILLIAM BRYAN.

This 26th day of January 1684 this will of Thomas Pope was presented in a Court held for Westmoreland Co., Va., and accepted by the Court as the last will and testament of said Pope, and ordered to be recorded.

GENERAL ASSEMBLY. 1696.

RICHMOND, Jan. 31st, 1896.

Editor of Virginia Magazine of History, &c.:

SIR,—Please accept for your Magazine the following paper, which has been in my possession for some years, but packed up and overlooked until recently. It is probable that I obtained it from Mr. Richard Randolph, of Williamsburg. I made his acquaintance when I was a student there, and enjoyed his friendship the rest of his life. He was much addicted to our colonial history, and once lent me his historical scrap-book, in which he had collected a number of interesting things. The paper here presented purports to have come from the State Council Chamber.

BEN. BLAKE MINOR.

"A Roll of the Burgesses at an Assembly beginning the 24th day of September, 1696:"

Henrico—Wm. Byrd,* Wm. Randolph, James Cocke.

New Kent—Wm. Bassett, Gideon Macon.

Princess Anne—Benjamin Borough, John Thorowgood.

King and Queen—Wm. Leigh, Joshua Story, sheriff.

Is^{ls} of Wr^ght—James Benn, dead, John Giles.

* Out of the country.

Gloucester—James Ransone, Mordecai Cooke.
 Northumberland—Richard Haynes, Rodham Kenner.
 Surry—Benjamin Harrison, John Thompson.
 Westmoreland—Alexander Speare, Isaac Allerton.
 James City County—Henry Duke, Miles Sherman.
 James City—Philip Ludwell, Wm. Sherwood, dead.
 Lancaster—Robert Carter, George Heale.
 Nansemond—John Brassieux, Thomas Jordon, sheriff.
 Norfolk—Thomas Hodges, Thomas Mason.
 Elizabeth City County—Anthony Armistead, Willis Wilson.
 Warwick—Dudley Digges, Robt. Hubbard, Rich'd Whitaker, sher'f.
 Accomack—John Washburn, Rich'd Bayley.
 Richmond—Alex'r Newman.
 Charles City—Chas. Goodrich, John Taylor.
 Middlesex—Matthew Kemp, Robert Dudley.
 Stafford—George Mason, John Withers.
 Essex—John Battaile, Thos. Edmundson.
 York—Henry Jenkins, Thomas Ballard.
 Northampton—John Custis, Wm. Waters, sheriff.

MEMBERS OF HIS MAJESTY'S COUNCIL OF VIRGINIA FOR 1768.

(Contributed by R. S. Thomas, Esq.)

The Honourable

John Blair, President,	William Byrd,
William Nelson,	Philip Ludwell Lee,
Thomas Nelson,	John Tayloe,
Peter Randolph,	Robert Carter,
Richard Corbin,	Presley Thornton,
Philip Ludwell,	Robert Burwell,

And a List of the Representatives of the Assembly for 1768.

Accomack—Thomas Parramore, Thomas Simpson.
 Albemarle—Thomas Walker, John Fry.
 Amelia—David Greenhill, Thomas Tabb.
 Augusta—Israel Christian, John Wilson.
 Amherst—William Cabell, Cornelius Thomas.
 Brunswick—Isaac Rowe Walton, William Thornton.
 Bedford—William Callaway, John Talbot.
 Buckingham—Robert Bolling, Joseph Cabell.
 Caroline—John Baylor, Edmund Pendleton.
 Charles City—William Kennon, Benjamin Harrison.
 Chesterfield—Archibald Cary, Richard Eppes.
 Culpeper—James Barber, John Field.

Cumberland—John Fleming, George Carrington.
Dinwiddie—Robert Bolling, Leonard Claiborne, Jr.
Elizabeth City—George Wythe, William Wager.
Essex—John Upshaw, John Lee.
Fairfax—George Johnson, John West.
Fauquier—Thomas Marshall, Thomas Harrison.
Frederick—George Washington, George Mercer.
Gloucester—Thomas Whiting, John Page.
Goochland—John Payne, Josias Payne.
Halifax—Nathaniel Terry, Robert Wade.
Hampshire—Thomas Rutherford, James Mercer.
Hanover—John Syme, James Littlepage.
Henrico—Bowler Cocke, Jun., Philip Mayo.
James City—Lewis Burwell, Philip Johnson.
Isle of Wight—James Bridger, Dolphin Drew.
King George—Charles Carter, ———.
King and Queen—John Robinson, Sp., John Pendleton.
King William—Bernard Moore, Carter Braxton.
Lancaster—Charles Carter and Richard Mitchell.
Loudoun—Francis Lightfoot Lee, James Hamilton.
Louisa—Thomas Johnson, William Johnson.
Lunenburg—Clement Read, Henry Balgrave.
Middlesex—John Smith, Ralph Wormley.
Nansemond—Lemuel Reddick, Willis Reddick.
New Kent—Richard Adams, Burrell Bassett.
Norfolk—William Bradley, Thomas Veal.
Northumberland—Spencer Ball, Richard Hull.
Northampton—John Harmanson, Thomas Dalby.
Orange—James Walker, James Taylor.
Prince Edward—Abner Nash, Peter Legrand.
Prince George—Richard Bland, Richard Bland, Jr.
Princess Anne—Anthony Walke, Edward Hack Moseley.
Prince William—John Baylis, Henry Lee.
Richmond—John Woodbridge, Landon Carter.
Southampton—Joseph Gray, Benjamin Symmons.
Spotsylvania—Fielding Lewis, Benjamin Grymes.
Stafford—William Fitzhugh, Thomas Ludwell Lee.
Surry—Hartwell Cocke, Thomas Bailey.
Sussex—David Mason, John Edmunds.
Warwick—William Digge, William Harwood.
Westmoreland—Richard Lee, Richard Henry Lee.
York—Thomas Nelson, Jr., Dudley Digges.
College of William and Mary—Mann Page.
James-Town—Edward Champion Travis.

Norfolk Borough—Joseph Hutchings.
Williamsburg—Mr. Attorney.

During the Presidency of John Blair, and whilst William Nelson, Thomas Nelson, Peter Randolph, Richard Corbin, Philip Ludwell, William Byrd, Philip Ludwell, Sen., John Tayloe, Robert Carter, Presley Thornton, and Robert Burwell, Esquires, were of the Council, there is a still further list of the representatives of the Assembly for several counties in Virginia, showing that there were two sessions of that Assembly whilst John Blair was President and acting Governor, as follows, viz:

Accomack—Thomas Parramore, Southey Simpson.
Albemarle—Thomas Walker, Edward Carter.
Amelia—Thomas Tabb, Robert Munford.
Augusta—John Wilson, William Preston.
Amherst—William Cabell, Jr., Cornelius Thomas.
Brunswick—William Thornton, Frederick Maclin.
Caroline—Edmund Pendleton, Walker Taliaferro.
Charles City—Benjamin Harrison, William Acrill.
Chesterfield—Archibald Cary, Seth Ward.
Culpeper—John Field, Thomas Slaughter.
Cumberland—John Fleming, Alexander Trent.
Charlotte—Clement Read, Paul Carrington.
Dinwiddie—Robert Bolling, John Bannister.
Elizabeth City—George Wythe, Wilson Miles Cary.
Essex—John Lee, Francis Waring.
Fairfax—George Washington, John West.
Fauquier—Thomas Harrison, Thomas Marshall.
Frederick— ———, ———.
Gloucester—John Page, Thomas Whiting.
Goochland—John Payne, John Bolling.
Halifax—Walter Coles, Edward Booker.
Hampshire— ———, ———.
Hanover—John Syme, James Littlepage.
Henrico—Richard Randolph, Bowler Cocke, Jur.
James City—Lewis Burwell, Robert C. Nicholas.
Isle of Wight—Dolphin Drew, James Bridger.
King George—Charles Carter, William Robinson.
King & Queen— ———, George Brooke.
King William—Carter Braxton, Harry Gaines.
Lancaster—Richard Mitchell, Charles Carter.
Loudon—Francis Lightfoot Lee, James Hamilton.
Louisa—Patrick Henry, Jr., Richard Anderson.
Lunenburg—William Taylor, Henry Balgrave.

Middlesex—John Smith, Gawin Corbin.
 Mecklenburg—Henry Delony, Robert Munford.
 Nansemond—Lemuel Riddick, Willis Riddick.
 New Kent—Burwell Bassett, William Clayton.
 Norfolk—Thomas Newton, Jr., Robert Tucker, Jr.
 Northumberland—Spencer Ball, Thomas Gaskins.
 Northampton—John Harmanson, Severn Eyre.
 Orange—James Walker, Zachariah Bernley.
 Prince Edward—Peter Legrand, Nathaniel Venable.
 Prince George—Richard Bland, Alexander Bolling.
 Princess Anne—Edw. Hack Moseley, Robert Ballard.
 Prince William—Henry Lee, Foushee Tebbs.
 Richmond—John Woodbridge, Landon Carter.
 Southampton—Joseph Gray, Benjamin Symmons.
 Spottsylvania—Benjamin Grymes, Fielding Lewis.
 Stafford—John Alexander, Thompson Mason.
 Surry—Hartwell Cocke, Thomas Bailey.
 Sussex—David Mason, John Edmunds.
 Warwick—William Harwood, William Digges.
 Westmoreland—Richard Henry Lee, Richard Lee.
 York—Dudley Digges, Thomas Nelson, Jr.
 College of William & Mary—John Blair.
 James-Town— ————
 Norfolk Borough—Joseph Hutchings.
 Williamsburg—Mr. Attorney General.

THREE HUNDREDTH ANNIVERSARY OF SETTLEMENT OF JAMESTOWN.

WASHINGTON, D. C., *January 6, 1896.*

Editor of the Virginia Magazine of History, &c.:

SIR,—It is rather early, perhaps, to begin to think of a celebration at Jamestown in 1907, in honor of the three hundredth anniversary of the first permanent English settlement on the continent, but I think such a celebration should be had. The Virginia Historical Society is undoubtedly the body to agitate for it. It is still eleven years until 1907, but perhaps it is not too early to begin preliminary work and get the ground cleared for the event. I am satisfied that Congress would readily make a liberal appropriation for such a celebration. Virginians should look to their laurels, for already the New Englanders have almost persuaded the world that Plymouth was the cradle of the republic. I submit these suggestions for your consideration and the consideration of the Virginia Historical Society.

Yours very respectfully,

A. C. QUISENBERRY.

BURNING OF EVE.

It was intended to append to the article in the January number on the burning of "Eve," the following note:

In New York City there was an insurrection in or about 1742-50, and several houses were set on fire. It does not appear that any murders were committed, but nine or ten negroes were arrested, convicted, and burnt alive. The chief conspirator, Hewson, a white man, was hung with his wife and her maid-servant, alledged to be privy to the conspiracy. See *Smollet's History of England*, page 258.

A. G. GRINNAN.

NORDEN'S OATH.

(Contributed by Colonel F. P. Leavenworth.)

The following is from *Prince George County Records*, Vol. I, page 58:

I, Robert Norden do sincerely promise and Solemnly Declare before God and the World that I will be true and faithful to his Majesty King George, and I do Solemnly promise and Declare, that I do from my heart abhor, detest and renounce as Impious and Hereticall that Damnable Doctrine and Position that Princes Excommunicated or Deprived by the Pope or any Authority of the See of Rome may be Deposed or Murthered by their subjects or any other whatsoever, and I do Declare that no foreign Prince, Person, Prelate, State or Potentate hath or ought to have any power, Jurisdiction Superiority, Preheminence or Authority, Ecclesiasticall or Spirituall within his Realm.

ROBERT NORDEN.

I Robert Norden Profess faith in God the Father and in Jesus Christ his Eternal Sonn the true God and in the Holy Spiritt, one God Blessed for ever more, and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine Inspiration.

ROBERT NORDEN.

Att a Court held for the County of Prince George on Tuesday the fourteenth of June Anno Dom. 1715—

Robert Norden an Annabaptist Preacher appeared in court and (pursuant to the Direction of an Act of Parliament made in the first year of the reign of King William and Queen Mary, Entitled an act for Exempting their Majesty's Protestant Subjects Dissenting from the Church of England from the penaltys of certain laws) took and Subscribed the oath and Declaration above written which by order of the court are truly Recorded.

Test:

WM. HAMELIN, C. CUR.

A LETTER FROM PHILIP SLAUGHTER.

Mrs. General Roger A. Pryor sends us the following copy of an original letter from the author of "Bristol Parish," now in her possession, which is of interest as containing a number of corrections of important typographical errors in that work. The reference of Dr. Slaughter in the concluding paragraph but one is to certain genealogical investigations which Mrs. Pryor was at that time making for the benefit of her children:

CEDAR MOUNTAIN, CULPEPER COUNTY, VA.,
March 23, 1888.

DEAR MRS. PRYOR,—I am gratified by your kindly appreciation of Bristol Parish, and am pleased at its giving you any pleasure or information. It so happens that of all my many books this is the only one that was not revised and corrected by me. Being ill at the time of its passing through the press, I did not see the proofs, and hence, by fault of copist, printers, and proof-readers, divers transpositions and other errors crept into the genealogies. I will call your attention to such of them as I remember, and ask you to correct them in your copy upon my authority: Page 139, Sam'l Pleasants should be Anne P. Page 145, Moses B. should be Monro B. On page 173, Homer should be Horner. At the foot of page 217, R. K. Meade had no issue by Eliza. Randolph. Bishop Meade was by second wife Mrs. Randolph *nee* Grymes; hence, page 222, B. Meade's name should be erased and that of Chief-Justice Marshall inserted. On page 221, I think the names of R. H., F. L., and Arthur Lee should be erased, but I have not time now to decide positively. On page 225, Wyndham Robertson has been transferred by the printers from page 223, where it should follow Jane Gay. On page 228 the printer has transposed the dates of Bishop Wilmer's birth and death to Leila Lee, who is living, and also the name Sarah (who married Casswell), from her place next to Helen, who married Bishop Wilmer.

These are some of the vexatious errors which were thrust in by others and which I have not publicly corrected, out of delicacy to those who befriended me. Rather than mortify them, I have let the responsibility rest on myself. Some of the genealogies were furnished by others, as that of the Claibornes, which has most errors.

I am glad to see that your "old Virginianism" has not been swallowed by the N. Y. social whirlpool, and that you have the taste and leisure to gather up the fragments that remain. Your letter has the true old Virginia flavor. If you can pass your family through that most perilous engine, the press, without suffering such dissolutions that a mother cannot recognize her own child, you will be fortunate.

I once thought our litany perfect, but since I have had the rashness to perpetrate genealogies, I am of opinion that it would be improved by

the addition of one more petition: From writing genealogies ——— deliver me. With respectful salutations for General Pryor, and with best wishes for you all,

Faithfully yours,

P. SLAUGHTER.

QUERIES.

FONTAINE—ARMISTEAD.

For the lineage of William Bowles Armistead, of Loudoun county, see *The Armistead Family, Ancestry of Benjamin Harrison*, by Charles P. Keith. The marriages of the two daughters of W. B. Armistead are given in Lee's *Lee of Virginia*, page 326, and Hayden's *Virginia Genealogies*, page 180. Will not your correspondent give us the second marriage of Mrs. Mary Bowles (Armistead) Alexander to a Selden? What was his name? Was he Wilson Cary Selden, guardian of the Alexander children (*Hayden*, 180), and the son of Joseph Selden and Mary Cary (*Hayden*, 63)? William Bowles Armistead had two sons, William Bowles, Jr., who died unmarried, and Peter Fontaine Armistead. The latter married Martha Henry Winston. Of the twelve children of this marriage two are now living, Peter Fontaine and George Washington Armistead, who received this name because he was born on the 22d of February. Mr. Peter Fontaine Armistead is a resident of Tusculum, Alabama, and has reached the advanced age of eighty-five. His son, Fontaine Armistead, not now living, married a daughter of a distant relative, George Graham Armistead, whose first wife was Alice Virginia Fontaine, of Loudoun county, Virginia. They, George G. Armistead and Alice V. Fontaine, were married November 7, 1831, and moved later to Alabama. She was the daughter of Alice Berkeley and ——— Fontaine, and granddaughter of Colonel Edmund Berkeley, of "Barn Elms," and Mary Burwell. What was the Christian name of Alice Berkeley's husband, and how was he related to Mary Ann Fontaine, Mrs. William Bowles Armistead (who married, secondly, John Lewis)?

K. M. R.

GARLAND.

Information is desired concerning all persons of the name of Garland who have lived, or who are now living, in this country.

I am endeavoring to establish a clear and connected history of the family above named from the time of the immigration of Hugh and Jo Garland into this country from England, in 1634 and 1635 respectively, to the present day.

Although there are manuscripts, parish registers, &c., to substantiate many of the early annals of the family, yet a large part of the present history is based on tradition or conjecture. My aim will be to substitute in place of this hypothetical data definite facts verified by church, town, and army records, and to embody these in a book of thorough and trustworthy biographical and genealogical record, relating to the Garlands of the New England, Middle, Southern, and Western States and all allied families.

In view of the magnitude of the undertaking, every person able and willing to furnish me with lineages suitable for this work is urgently requested to fill out blanks, which may be obtained on application (one blank is devoted to each person).

JAMES A. GARLAND, JR.,
Chestnut Hill, Mass.

THE TERM, STATE HOUSE.

Mr. Albert Matthews, of 145 Beacon Street, Boston, Massachusetts, is making a special investigation into the history of the term "State House," said by some to be derived from the Dutch, by others from the German, and by still others to be an invention of our own. All information given him as to the use of the word in documents relating to the early history of Virginia as a colony will be gratefully received. Mr. Matthews proposes to publish the results of his inquiry, which will be of interest to scholars.

BOOK REVIEWS.

WHITE SERVITUDE IN THE COLONY OF VIRGINIA, by James C. Ballagh.
Johns Hopkins Historical Studies. Thirteenth series, 1895.

It is discreditable to the literary activity of the South to say that the greatest number of the most respectable efforts which have been recently made to write the colonial history of several of our leading Southern States have been made by post-graduates of Johns Hopkins and Columbia Universities. Nevertheless, this is the case. Such work has its points of excellence; it is almost certain to show extensive research, but at its best, it reminds us of a narrow path through a very dark forest. The light is upon a restricted line. It is not let in on all sides, enabling us to see not only our way, but also the immediate neighborhood in all its bearings. In other words, the work of the post-graduate is only too apt to disclose that his studies have not gone beyond the theme directly under consideration. His views are not broadened and enriched by a great fund of general information; his grasp is not strengthened and made sure by a maturity of judgment which has been derived from wide historical investigation. The writer is only too likely to be a specialist of the most insignificant type, and a specialist too, not for love of his subject, but for the uninspiring purpose alone of securing a college degree. To such work a severe test should not be applied. It shows our poverty in historical writing that such work is deemed to be worthy of serious notice, as it rarely is.

In many respects Mr. Ballagh's monograph, "White Servitude in the Colony of Virginia," is decidedly superior to the general run of these post-graduate dissertations. It shows conscientious labor, good judgment, and a fair degree of skill in the arrangement of the matter. On the other hand, the style, though clear, is rather dry and uninteresting. The dissertation, as a whole, indicates unmistakably that still better work may be expected of the writer in the future, when he has given more extended investigation and more deliberate thought to some subject which his taste has led him to select. The space at our disposal is not sufficient to allow us to dwell at length on the contents of Mr. Ballagh's monograph. We shall be satisfied with pointing out certain errors in fact or opinion into which we conceive him to have fallen.

(1) We do not think he does adequate justice to the London Company in its earliest years. The attacks upon that body, as it was during the time of Sir Thomas Smyth's administration, have always appeared to us in a measure uncalled for, because the peculiar difficulties of the position in which it was placed have not been entirely appreciated. It

could be charged with ignorance, and at one time with a greed for the precious metals, but we do not think that duplicity was one of its sins—we are looking at the administration of the Company's affairs in England, and not at the local conduct of affairs in Virginia, which was only too often stupid and unscrupulous. In charging the Company, as Mr. Ballagh does, with a conscious intention to deceive in issuing the broadside of 1609, in which certain advantages were offered settlers, it should be remembered that the persons sought to be influenced were artisans, within which term it is evident that the expression "men as well as women who have any occupation" is intended to be included. There was nothing whatever to prevent the Company from carrying out its offer to this class of emigrants, to whom special privileges were, for obvious reasons, always allowed. Even the rapacious Argall granted unusual favors to mechanics.

(2) We see no injustice in the determination of the Company to admit all adventurers, new as well as old, to equal shares when a division was to be made of the soil. Nothing was more abundant in Virginia than land. The valuable soil was that which was still covered with forest, and to such soil, even in the valley of the Powhatan, there was practically no limit. To discriminate in favor of the old adventurers would have amounted to nothing, as there was really no room for discrimination, all standing upon a footing equally advantageous.

(3) If the colonists were, previous to 1619, "kept out of their rights," as Mr. Ballagh declares (page 16), it was due not to the wishes of the Company but to the wholly arbitrary conduct of Argall. If Yeardley had continued at the head of affairs after the departure of Dale, there is little reason to doubt that an early division of the lands in fee simple would have taken place in a very short time. The Company protested against the action of Argall, and it was largely due to its indignation, thus aroused, that it introduced the great improvements in the whole administration of affairs in Virginia, which marked the inauguration of Yeardley's second term.

(4) Mr. Ballagh states that the culture of tobacco was introduced by Yeardley in 1616 (page 42). The first experiment with tobacco culture was made by Rolfe in 1612. Previous to Dale's departure from the colony in 1616, tobacco culture had become the exclusive occupation of the inhabitants of West and Shirley Hundreds, an evidence that it was one of the staple crops of the colony sometime before Yeardley assumed control. (See Bruce's *Economic History of Virginia*, Volume I, page 217.) Hamor declared in 1614, two years before, that the people were acquiring so much knowledge as to the best methods of curing Virginia tobacco that it would in a short time become as popular in England as the product of the Spanish colonies. (*Discourse*, pages 24-34.)

(5) Mr. Ballagh declares that Smith's Hundred was the first of the Societies established, and that it was established subsequently to April,

1618. In reality both Smith's and Martin's Hundreds were erected previous to 1618.

(6) The system prevailing in Virginia previous to 1613 is described by Mr. Ballagh as communal. This is only true in the sense that it is true of land held by a modern joint stock company. The term is misleading if its modern significance, as applied to communal associations, is intended to be conveyed. Virginia was held by an ordinary commercial organization. It was the property of that organization, which cultivated the soil, first by its own indented servants, and afterwards by renters. The same system operating under modern law can be observed in many places in the United States to-day; indeed, wherever a joint stock company holds a landed estate.

(7) Mr. Ballagh declares that "the Bermuda planters petitioned Governor Gates for permission to plant corn for a subsistence, as the Company had been derelict in furnishing supplies. This petition was denied unless they accepted a tenantry at will, paying a yearly rent of three barrels of corn, and giving a month's service to the colony." We would be pleased to know what is the authority for this statement. Hamor declares that this course was taken throughout the colony (*Discourse*, page 17). The "Briefe Declaration" merely says "some" petitioned, without designating who they were. Was not Mr. Ballagh misled by the following sentence in Smith (*Arber*, page 516)? "Sir Thomas Dale hath allotted every man three acres of cleare ground, in the nature of Farmes, except the Bermudas: who are exempted but for one month's service in the yeare which must be neither in seed time nor harvest; for which doing, no other dutie they pay yeerely to the Store but two barrels and a halfe of corn." The passage is slightly obscure but it is evident that it was not the people of Bermuda Hundred—a free corporation—but the men with the three acres of ground who were to pay the yearly rent, this being the condition of tenure.

(8) We are not certain whether Mr. Ballagh is correct in saying that many of the Monmouth rebels were shipped to Virginia, in spite of the King's circular requiring them to be received. The general impression has been that they were transported to Barbadoes, an island which is often included in the public documents of that age in the general term "Virginia."

(9) Mr. Ballagh declares that General Courts were held as early as 1622. They were really held as early as 1619 (*Colonial Records of Virginia*, page 81).

(10) Our author dates the beginning of the decline of white servitude in the colony in the year 1726. There are many evidences that the decline began as early as 1700. At least, the superiority of white labor was clearly recognized by the end of the century. This is shown in the most practical form by the ever increasing demand for slaves, a demand

which the growing facilities for their importation were able in large part to meet.

(11) We agree with our author in thinking that the institutions of indented servitude and slavery were very different in their most important feature, that is, in the personal status of the servant and the slave. The general influences of the two institutions on the interests of the community were, however, practically the same. No one can study the two without a feeling of the profoundest regret that the slave was ever introduced. The demand for his labor was great, because he was a cheaper worker in the soil, but all of his superior powers could have been dispensed with. It was not until about 1671 that the importation of negroes began to reach proportions of importance. All that had been accomplished in Virginia previous to that time had been accomplished by the white servant. It was a homogeneous community, and so it would have continued but for the existence of the docile and timid African. If the future could have been foreseen, how sternly the importation of the negro would have been discouraged! Happy and wise are the Australians, who, recognizing the unnumbered woes that attend the introduction of the colored races, as shown by the misfortunes of the South, have forbidden their admission to the great island continent.

Full justice has not yet been done to the great class of English servants, so called, who came to America in the colonial age. To them, more, perhaps, than to any other distinct class is due the broad foundation upon which our American civilization was laid. In the formative period—the seventeenth century—they were of supreme importance, negroes not yet having been brought over in great numbers from their native country. The indented servant of the colonial age is deserving of lasting honor as one who was ready to abandon his native soil to contend with the strange conditions beyond the sea, and with the axe in the forest and the hoe in the field, to lead the van in the first stage of that majestic march of the race, which did not halt until the shores of the Pacific had been reached.—B.

"DESCENDANTS OF MORDECAI COOKE, OF MORDECAI MOUNT, GLOUCESTER COUNTY, VIRGINIA, 1650." New Orleans, La., 1896.

This is a valuable genealogical pamphlet, by Professor Wm. Carter Stubbs, Ph. D., of Audubon Park, New Orleans, La. He is a native of Gloucester county, where the Cookes settled in 1650, and a descendant of Mordecai, of "Mordecai's Mount;" therefore, he has taken especial pride and pains to draw upon every available source for his valuable data, which he has systematized and elaborated in a handy little volume.

Besides the Cookes he has brought in other old families. The romantic traditions in the Cooke family he either substantiates or explains their improbability. He gives the Cooke patents, births, baptisms, col-

lege records, arms, and the quaint epitaphs upon their tombs, and finally takes up Mordecai, of "Mordecai's Mount," and presents a comprehensive compendium of his descendants, embracing interesting biographical and genealogical mention of other families with which the Cookes were allied, viz: Booths, Buckners, Baylors, Baytops, Burwells, Fauntleroyes, Fitzhughs, Masons, Mallorys, Pauls, Thrustons, Taliaferros, Whitings, and others.

On page 28 there is an error. "Lucy⁴" must have been the daughter of Mordecai Cooke; at least this is the testimony of her son, Rev. Thomas Smith, and as he was born in 1740, his mother could not have been born in 1748. Lucy⁴ evidently married Gregory Smith, and afterwards she married George Booth.

But such errors will creep into any extended pedigree, and the hall mark of careful research is upon this genealogical brochure. It is what we would expect from such an enthusiastic lover of antiquities.

Mr. Stubbs wisely inserts Mr. W. G. Stanard's record of the "Throckmorton Branch," which had appeared in the *William and Mary Quarterly*. Mr. Stubbs announces that as the Cooke genealogy was issued at a sacrifice of time and expense, copies can be obtained of J. W. Randolph, Richmond, Virginia (or at Audubon Park, Louisiana), for the nominal charge of fifty cents.

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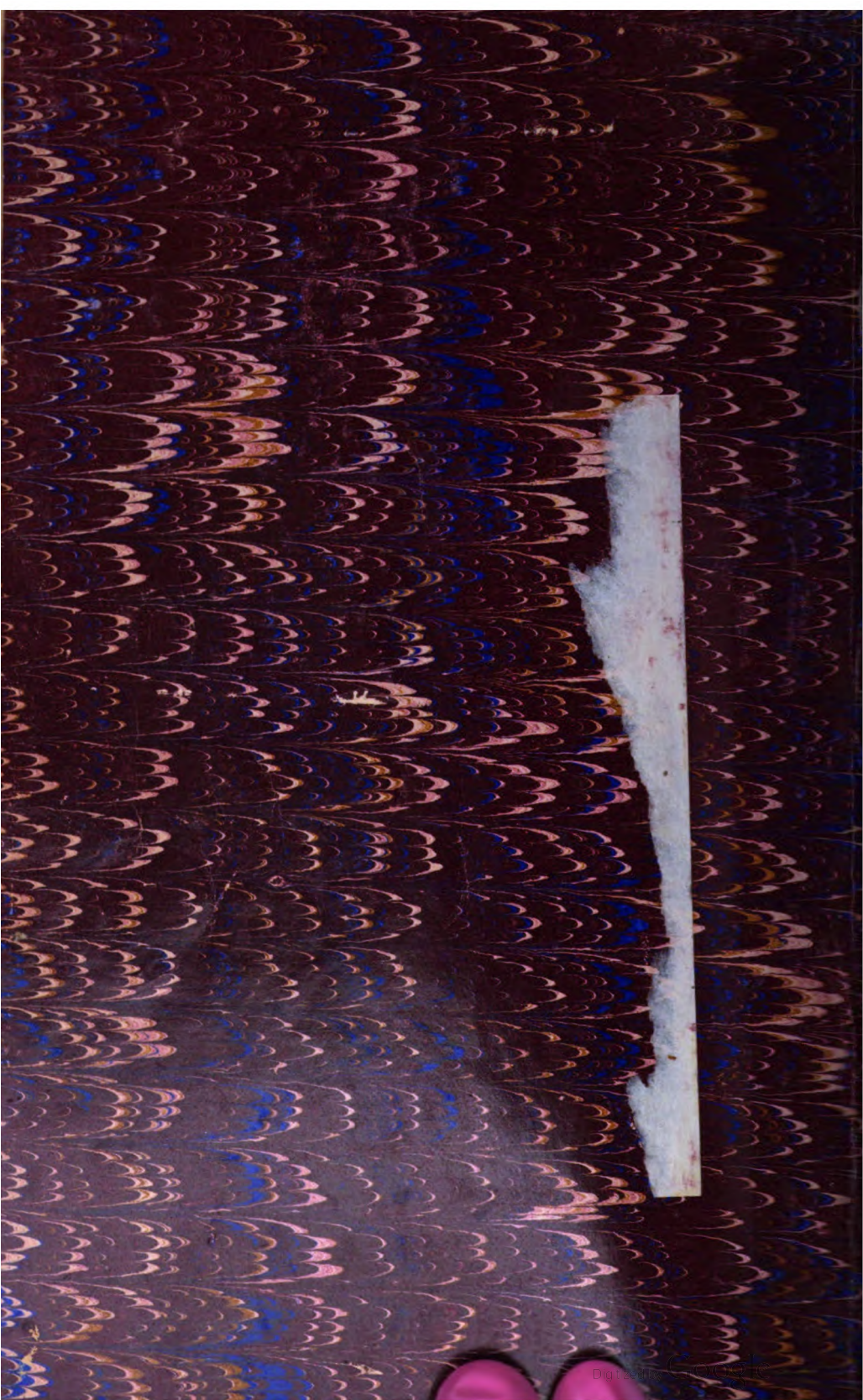
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